



Government of Bengal

Finance Department

**The Fundamental Rules
and the Subsidiary Rules
made thereunder**

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PREFACE.

In exercise of the powers conferred by section 96-B of the Government of India Act, 1919, the Secretary of State in Council made certain statutory rules of a fundamental character called the "Fundamental Rules" to regulate the conditions of service of the civil services in India. Two memoranda were also issued by the Government of India explaining respectively each rule in the Fundamental Rules and the treatment accorded in those Rules to each Article of the Civil Service Regulations. These have been inserted as Appendices 1 and 2 to the rules.

2. The Rules provide in the main for pay, allowances, leave and such other conditions of civil service as were hitherto treated in the Civil Service Regulations, with the omission of the rules regarding pensions. They came into force with effect from the 1st January 1922, and from that date replaced the substantive rules in the Civil Service Regulations except in respect of pensions. Pending the issue of new pension rules by the Secretary of State, the present rules relating to pensions in the Civil Service Regulations will continue in force.

3. In certain cases the Fundamental Rules left it to the Secretary of State, the Governor General in Council and the Auditor General to issue detailed rules and instructions, regulating rates of subsistence grants, study leave, medical certificates of fitness, conditions governing admission to the benefits of the special leave rules, etc. These detailed rules and instructions have been embodied in their appropriate places either under the Fundamental Rules concerned or in separate appendices.

4. It will be seen that several of the Fundamental Rules concede rule-making powers to the Local Government, the more important of which deal with rules regarding the grant of honoraria, compensatory and travelling allowances, the principles on which rent shall be assessed in cases of Government residences, the joining time admissible to officers on transfer and the procedure regarding applications for, and grant of, leave, etc. Subsidiary rules have been framed by the Local Government to regulate these and other matters, *e.g.*, the giving and taking over charge or leaving jurisdiction, in respect of which it has been left to the Local Government to issue administrative instructions or to make their own rules. These subsidiary rules are applicable to Government servants under the local Government's administrative control, which description includes the services controlled by the Governor in Council as the agent of the Governor General in Council and these rules have been inserted below the corresponding Fundamental Rules serially numbered and distinguished from the main Fundamental Rules by the indicating mark "S. R."

5. There are certain other rules of minor importance in the Civil Service Regulations which were excluded from the Fundamental Rules as being of the nature of audit instructions. They have been embodied in the Audit Instructions issued by the Auditor General. Several rulings and interpretations on different Fundamental Rules have been issued by the Secretary of State and the Governor General in Council as well as by the Auditor General with the approval of the Finance Department of the Government of India. They have been reproduced below the Rules concerned.

6. Appendices have been added at the end containing rules regarding overseas pay, grant of advances for passages overseas, leave procedure, special concessions regarding travelling allowance, etc., which cannot suitably be included in the body of the book.

7. Under Rule 6 of the Fundamental Rules the powers vested in the Local Government by some of the Rules may, with certain exceptions, be delegated to subordinate authorities. The extent to which such delegations have been made is shown in the Delegation Chapter, in which the term "competent authority," used in certain of the Fundamental and Subsidiary Rules, has been defined.

8. The Fundamental and Subsidiary Rules thus make up a self-contained code of regulations defining the various conditions of service. To a large extent these new rules follow the Civil Service Regulations, but there are differences, especially in the nomenclature to be adopted in dealing with various matters.

9. The amendments issued by the Secretary of State to different Fundamental Rules, as well as the corrections since made by the Local Government to their Subsidiary Rules under the Fundamental Rules, published in the *Calcutta Gazette* of the 23rd December 1921, have been incorporated in the present issue. Any further corrections that may be made by the Secretary of State to the Fundamental Rules or by the Local Government to the Subsidiary Rules and any further interpretations to the Rules or Audit Instructions that may be made by the Governor General in Council or the Auditor General, as the case may be, will be issued by periodical correction slips. The Appendices containing the lists of permanent travelling allowances and daily, mileage and conveyance allowances embody the rates hitherto in force as far as they can be collected from the different orders, Manuals, etc. The Finance Department is responsible for correction of the Fundamental and Subsidiary Rules, and all proposals for change should be submitted through that Department.

A. MARR,

*Secretary to the Government of Bengal,
Finance Department.*

Dated 18th September 1924.

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FUNDAMENTAL RULES.

• Made by the Secretary of State in Council under section 96B of the Government of India Act.

PART I.

Chapter I.—Extent of Application.

1. These rules may be called the fundamental rules. They shall come into force with effect from the 1st January 1922.

2. The fundamental rules apply, subject to the provisions of rule 3, to all Government servants whose pay is debitable to civil estimates in India, and to any other class of Government servants in India to which the Secretary of State in Council may by general or special order declare them to be applicable. In relation to services under its administrative control, other than all-India services, a local Government may make rules modifying or replacing any of the fundamental rules; provided that:—

- (a) No such rule shall adversely affect any person who is in Government service at the time when the fundamental rules come into force, and
- (b) any such rule which grants any privilege or concession not admissible under the terms of the fundamental rules, or of the Civil Service Regulations as they stand at the time when the fundamental rules are introduced, shall require the sanction of the Secretary of State in Council.

Declaration of the Secretary of State in Council.—The Secretary of State in Council has declared that a Government servant paid from Civil Estimates, who is temporarily transferred to service paid from Army Estimates shall remain subject to the Fundamental Rules. (Government of India, Finance Department, Resolution No. 614-C.S. R., dated the 19th June 1922.)

Conditions of grant of leave to inferior servants.

S. R. 1. Pending the framing of special rules to regulate the granting of leave to inferior servants, the Local Government have decided that the grant of leave to inferior servants shall be subject

to the restrictions imposed by Articles 147 (*iii*) and 321 (*a*), Civil Service Regulations. That is, the absentee allowance of the substantive incumbent must not exceed what remains from his pay after provision is made for the efficient discharge of his duties during his absence, except when, in the resultant acting arrangements, an officer who has no substantive appointment is given more than half the pay of the appointment in which he acts, in which case the excess over half pay granted to him may, at the discretion of the authority sanctioning the leave, be disregarded altogether in calculating the sum available for the leave allowance of the absentee and the acting allowance paid in consequence of his absence.

Departmental leave.

S. R. 2. The following special rules regulate the grant of leave to Government servants in the Survey Department of Bengal noted below, not being members of the office establishment located with the headquarters offices in Calcutta :—

(a) Subordinates in superior service.

(b) Menials attached to parties.

(i) In addition to leave under Chapter X of the Fundamental Rules, departmental leave may be granted in the circumstances and on the conditions prescribed in rules (*ii*) to (*vii*).

(ii) (*a*) Departmental leave may not be granted except to a Government servant whose services are temporarily not required.

(b) It may be granted during the recess by the head of the party provided in the case of a menial that the officer granting the leave considers it desirable to re-employ the menial in the ensuing season.

(c) It may be granted at times other than the recess for not more than six months at a time by the Director of Land Records and Surveys, Bengal: Provided that the leave is granted in the interests of Government and not at the Government servant's own request, and leave so granted may, in special cases, be extended up to a maximum of one year in all. Leave on medical certificate should never be regarded as granted in the interests of Government.

(iii) Departmental leave may be granted on such leave salary, not exceeding half pay as the officer granting the leave may think fit. The leave salary is payable on return to duty after the expiration of leave and is not payable unless the Government servant returns to duty when required by his superior officer to do so. If, however, a Government servant dies while on departmental leave, his leave salary up to the date of his death will be paid to his heirs.

(iv) Departmental leave does not count as duty and will be debited to the leave account as though it were leave on half average pay.

(v) Departmental leave may be granted when no leave is due. Departmental leave granted shall not be taken into account when calculating the maximum amount of leave admissible under Fundamental Rule 81(*a*).

(vi) Departmental leave may be combined with any other kind of leave which may be due.

(vii) When a Government servant subject to these rules holds a post in which the Director of Land Records and Surveys, Bengal, considers that he is unlikely to be eligible for departmental leave in future, the Director of Land Records and Surveys, Bengal, may by special order in writing declare that with effect from such date not being earlier than the Government servant's last return from departmental leave as the Director of Land Records and Surveys, Bengal, may fix, any balance of leave at debit in the Government servant's leave account shall be cancelled, to such extent as may be due to the departmental leave. All leave earned after such date will be credited as due in the Government servant's leave account; and all leave taken after such date, including departmental leave, if any, will be debited in it.

3. Unless in any case it be otherwise distinctly provided by or under these rules, these rules do not apply to Government servants whose conditions of service are governed by Army or Marine Regulations.

4. The powers specifically granted by these rules to local Governments may be exercised by them in relation to those Government servants only who are under their administrative control. These powers may be exercised by the Governor General in Council in respect of all other Government servants, and may be delegated by him, without regard to the limitations of rule 6 and subject to any conditions which he may think fit to impose, to a Chief Commissioner.

Interpretation of the Government of India.—The term “under their administrative control” in this rule includes services controlled by the Governor in Council as the agent of the Governor General in Council. (Paragraph 3 of Government of India, Finance Department No. 1079-C.S.R., dated the 29th October 1921.)

5. The power to make rules or general orders conferred upon local Governments by any of these rules shall be exercised after consideration by the Governor with his Executive Council and Ministers sitting together, but the rules and orders so made shall be made by the Governor in Council or by the Governor and Ministers, according as the service affected is attached to a department dealing with reserved or a department dealing with transferred subjects. In the case of services performing duties both in a department dealing with reserved and in a department dealing with transferred subjects, the Governor shall decide by which authority the rules shall be made.

6. A local Government may delegate to any of its officers, subject to any conditions which it may think fit to impose, any power conferred upon it by these rules with the following exceptions:—

- (a) All powers to make rules;
- (b) the other powers conferred by rules 6, 9 (6) (b), 44, 45, 83, 119, 121 and 127 (c), and by the exception under rule 30.

N. B.—Powers delegated by the Local Government under different Fundamental Rules are contained in the Delegation Chapter.

7. No powers may be exercised or delegated under these rules except after consultation with the Finance Department. It shall be open to that Department to prescribe, by general or special order, cases in which its consent may be presumed to have been given, and to require that its opinion on any matter on which it has been consulted shall be submitted to the Governor by the consulting department.

8. The power of interpreting these rules is reserved to the Governor General in Council.

Chapter II.—Definitions.

9. Unless there be something repugnant in the subject or context, the terms defined in this chapter are used in the rules in the sense here explained:—

- (1) The *Act* means the Government of India Act.
- (2) *Average pay* means the average monthly pay earned during the 12 complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay:

Provided that :—

- (a) in the case of a Government servant deputed out of India who draws pay as laid down in rule 51 (a), his average pay shall be assumed to be the full pay which he would have drawn if on duty in India, and
- (b) in the case of an officer of the Royal Engineers in civil employ who, during any part of the preceding 12 months, has been undergoing military training, his pay for the months spent in such training shall be assumed to be the pay which he drew in the corresponding number of months immediately preceding the training.

Note.—The average pay of a member of the Bengal Covenanted Pilot Service shall be calculated at such rates as the Secretary of State in Council may by order prescribe.

Audit Instructions.—(1) In the case of a Government servant of a Vacation Department the vacations falling in the period of 12 complete months immediately preceding the month in which leave is taken, should be treated as duty under Fundamental Rule 82(b), and the emoluments drawn by the Government servant during the vacations should be treated as pay drawn on duty, and should, therefore, be taken into account in determining his leave salary during the succeeding leave. (Paragraph 1, Audit Instructions Circular No. 4, dated the 28th May 1923.)

(2). According to the definition of “average pay” in this rule, the average is to be taken of the monthly pay earned during the 12 complete months immediately preceding the month in which the leave is taken, and for this purpose “the 12 complete months immediately preceding” should be interpreted literally. Thus a Government servant who has been on leave from 23rd March, 1922, to 22nd July, 1922, inclusive is granted leave from 4th February, 1923. His average pay should be calculated on the pay earned for the periods 1st February, 1922, to 22nd March, 1922, and 23rd July, 1922, to 31st January, 1923. If, however, a Government servant happens to be on leave for more than 12 months

immediately preceding the date on which he takes leave under the Fundamental Rules, then the average should be taken of the monthly pay earned during the 12 complete months immediately preceding the month in which the leave originally commenced.

NOTE 1.—In the case of a Government servant on Foreign service out of India lasting for more than 12 months, who, on reversion to British service, immediately takes leave under the Fundamental Rules, the calculation of average pay in respect of the leave earned while in Government service, should be based on the pay drawn by him during the 12 complete months preceding the month in which he was transferred to Foreign service. (Paragraph 1 of Audit Instruction Circular No. 3, dated the 19th March 1923.)

NOTE 2.—Any period of joining time taken either under clause (b) or under clause (c) of Fundamental Rule 105 during the preceding 12 months should be ignored in calculating average pay as no "pay" is drawn in respect of such joining time. (Paragraph 4 of Audit Instruction Circular No. 16, dated the 16th June 1924.)

- (3) *Barrister* means a practising barrister of England or Ireland, and a practising member of the Faculty of Advocates of the Court of Sessions of Scotland. It does not include a person who, though called to the Bar, has never practised the profession of barrister.
- (4) *Cadre* means the sanctioned strength of a service or of an establishment.
- (5) *Compensatory allowance* means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance.

S. R. 3. The following have been declared as compensatory allowances :—

- (1) Allowances granted to professors of Medical Colleges, who are denied the privilege of private practice.
- (2) House rent allowances.
- (3) Presidency allowances.
- (4) Town allowances granted to ministerial Government servants.
- (5) Allowances granted in consideration of expensiveness of locality.
- (6) Travelling allowances.
- (7) Exchange compensation allowances.
- (8) Hill allowances.
- (9) Grain compensation allowances.

(6) *Duty*.—

(a) *Duty* includes :—

- (i) Service as a probationer or apprentice, provided that such service is followed by confirmation.
- (ii) Joining time.

- (b) A local Government may issue orders declaring that, in circumstances similar to those mentioned below, a Government servant may be treated as on duty:—
- (i) During a course of instruction or training.
 - (ii) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a university, college or school, during the interval between the satisfactory completion of the course and his assumption of duties.
 - (iii) During preparation for an examination in any oriental language.
 - (iv) On the first arrival in India of Government servants appointed in England who do not, before they report themselves at the seat of the local Government concerned, receive orders to take charge of a specified post, during the interval between the date of such report and the date on which they take charge of their duties.

S. R. 4. In the following cases the services of Government servants are treated as "duty":—

(1) A Government servant is on duty during a duly authorised course of instruction or training.

(2) A student, stipendiary or otherwise, who is entitled to be appointed to the service of Government, on passing through a course of training at a university, college or school, is on duty from the date following that on which the final qualifying examination passed by him ends.

(3) An officer permitted to appear at an optional examination prescribed by Government in any of the oriental languages is on duty during a reasonable period occupied in the journey to and from the place of examination and the day or days of the examination in addition to the time allowed for preparation. In the case of a candidate for the High Proficiency and Degree of Honour examinations in all vernacular languages, the period allowed for preparation, which will be treated as duty, shall not be more than three months. If the examination is by the Higher Standard or High Proficiency in Sanskrit, Arabic or Persian, the candidate will be allowed a period not exceeding three months for preparation, which will be treated as duty if he undertakes to spend the period in study under professional tuition at any place approved by the Local Government. In the case of the Degree of Honour examination in Sanskrit, Arabic or Persian, the period for preparation may be extended up to six

months if the candidate leaves India for study to Persia for Persian or to Arabia, Mesopotamia, Egypt and Syria for Arabic or to any place approved by the Local Government for Sanskrit. The periods for preparation are not admissible for more than once.

(4) An officer required to attend an obligatory departmental examination is on duty during a reasonable time required for the journey to and from the place of examination and the day or days of the examinations.

(5) An officer permitted to present himself at any examination, which must be passed before a person is eligible for a higher subordinate appointment in any service, is on duty during the number of days actually necessary to enable him to attend at the examination. This concession is not allowed more than twice for each standard of examination.

(6) Government servants appointed in England who, on their first arrival in India do not, before they report themselves at the seat of Government, receive orders to take charge of a specified post, are on duty during the interval between the date of such report and the date on which they take charge of their duties: provided that the interval between the receipt of orders and their assumption of their duties shall not exceed the amount of joining time which would be admissible to a Government servant entitled to joining time under Fundamental Rule 105 (a).

Transferred.

(7) Public Works Engineer officers appointed from any Civil Engineering College in India are on duty when they are required, under the rules of the department, to pass obligatory examinations in the vernacular languages, and are granted leave in India, at such time as is convenient, for three months for preparing themselves for such examination.

Transferred.

(8) A relieving officer of the Public Works Department is on duty, when the charge to be transferred consists of several scattered works which the relieving and relieved officers are required by the orders of a superior officer to inspect together, provided the period taken in carrying out these inspections is not considered by the Superintending Engineer to be excessive.

Reserved.

(9) Government servants of the Forest Department holding the substantive rank of Assistant Conservators or Extra Assistant Conservators are on duty when they are relieved of the duties of their posts for two periods of three months each to qualify themselves to pass the compulsory examination, provided that the test is passed either during the leave or within three months after its expiry and that the examination leave is taken in India.

(7) *Foreign Service* means service in which a Government servant receives his substantive pay with the sanction of Government from any source other than the general revenues of India or from a company working a State railway.

(8) *General revenues of India* include the revenues allocated to local Governments and exclude the revenues of local funds.

- (9) *Honorarium* means a non-recurring payment made to a Government servant in return for specified service rendered.
- (10) *Joining time* means the time allowed to a Government servant in which to join a new post or to travel to or from a station to which he is posted.
- (11) *Leave on average (or half or quarter average) pay* means leave on leave-salary equal to average (or half or quarter average) pay, as regulated by rules 89 and 90.
- (12) *Leave-salary* means the monthly amount paid by Government to a Government servant on leave.
- (13) *Lien* means the title of a Government servant to return in a substantive capacity to a permanent post to which he has been appointed substantively.

S. R. 5. In the case of a Government servant who holds no lien on any appointment except that which is abolished, the abolition of the appointment should be deferred till such leave as was admissible to him immediately before the abolition of the appointment and as may be granted has terminated. The above order does not apply to the holder of a temporary appointment without a lien on a permanent post.

(14) *Local fund* means—

- (a) revenues administered by bodies which by law or rule having the force of law come under the control of Government, whether in regard to proceedings generally or to specific matters, such as the sanctioning of their budgets, sanction to the creation or filling up of particular posts, or the enactment of leave, pension or similar rules; and
- (b) the revenues of any body which may be specially notified by the Governor General in Council as such.

(15) *Local Government*, for the purposes of these rules, does not include a Chief Commissioner.

(16) (a) *Military Commissioned Officer* means a commissioned officer other than—

- (i) a departmental commissioned officer;
- (ii) a commissioned officer of the Indian Medical Department.

It does not include a warrant officer.

- (b) *Military Officer* means any officer falling within the definition of military commissioned officer, or included in sub-clause (i) or (ii) of clause (a) above, or any warrant officer.
- (17) *Ministerial servant* means a Government servant of a subordinate service whose duties are entirely clerical, and any other class of servant specially defined as such by general or special order of a local Government.
- (18) *Month* means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently.

Audit Instructions.—In calculating a period of 3 months and 20 days from 25th January, 3 months should be taken as ending on 24th April, and 20 days on 14th May. In the same way the period from 30th January to 2nd March should be reckoned as 1 month and 2 days, because one month from 30th January ends on 28th February. (Paragraph 5 of Audit Instructions issued up to 31st October, 1922.)

- (19) *Officiate.*—A Government servant officiates in a post when he performs the duties of a post on which another person holds a lien. A local Government may, if it thinks fit, appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien.

S. R. 6. The authority which has power to make a substantive appointment to a vacant post may also appoint a Government servant to officiate in it.

- (20) *Overseas pay* means pay granted to a Government servant in consideration of the fact that he is serving in a country other than the country of his domicile.

Secretary of State's Rules regarding the grant of overseas pay.—The rules regulating the grant of overseas pay to Government servants are contained in the Government of India, Finance Department, Resolution No. 1533-Ex., dated the 5th July 1923, reproduced in Appendix No. 3.

- (21) (a) *Pay* means the amount drawn monthly by a Government servant as—
- (i) the pay, other than special pay or pay granted in view of his personal qualifications,

which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and

- (ii) overseas pay, technical pay, special pay and personal pay, and
 - (iii) any other emoluments which may be specially classed as pay by the Governor General in Council.
- (b) In the case of a military officer, pay includes the amount which he receives monthly under the following designations:—
- (i) Military pay and allowances and staff salary;
 - (ii) Indian Army pay and staff salary; and
 - (iii) consolidated pay.

Government of India's decisions.—(1) The Governor General in Council has classed "Judicial Pay" as "Pay" under this rule (with effect from 1st January 1922). (Government of India, Finance Department, No. 76-F.A., dated the 25th January 1922.)

(2) The Government of India have decided that language allowances shall be termed "language pay" in future and that they shall be classed as "Pay" under this rule. (Government of India, Finance Department, Resolution No. 1439-F. E., dated the 14th July 1922.)

Audit Instructions.—If these are lump sum allowances, they will be dealt with under Fundamental Rule 46. If they are recurring payments they will fall under Fundamental Rule 9 (21) (a). (Paragraph 6 of the Audit Instructions issued up to 31st October 1922.)

- (22) *Permanent post* means a post carrying a definite rate of pay sanctioned without limit of time.
- (23) *Personal pay* means additional pay granted to a Government servant—
 - (a) to save him from a loss of substantive pay due to a revision of pay or to any reduction of his substantive pay otherwise than as a disciplinary measure; or
 - (b) in exceptional circumstances, on other personal considerations.

Government of India's decision.—The Government of India have declared, with the approval of the Secretary of State, that the personal allowance granted in lieu of Exchange compensation allowance

referred to in paragraph 3 of Government of India, Finance Department, Resolution No. 1559-F. A., dated the 16th August 1921, and paragraph 4 of Government of India, Finance Department, Resolution No. 591-F. E., dated the 29th March 1922, shall be treated as "Personal Pay" for the purpose of calculating leave salary, but not for pension. (Government of India, Finance Department, No. 2660-F. E., dated the 19th December 1922.)

- (24) *Presumptive pay of a post*, when used with reference to any particular Government servant, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay unless the Government servant performs or discharges the work or responsibility, or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned.

Audit Instructions.—The first part of the definition is intended to facilitate the use of the term in relation to a Government servant who has been absent from a post for sometime but still retains a lien on it. (Paragraph 7 of the Audit Instructions issued up to 31st October 1922.)

- (25) *Special pay* means an addition, of the nature of pay, to the emoluments of a post or of a Government servant, granted in consideration of—
- (a) the specially arduous nature of the duties; or
 - (b) a specific addition to the work or responsibility; or
 - (c) the unhealthiness of the locality in which the work is performed.

Audit Instructions.—If the allowances granted to medical officers in medical charge of Railway employees are paid from general revenues, they may be classified as "Special Pay." If they are paid by Companies they cannot be treated as "Special Pay" unless contribution is paid. (Auditor General Audit Instruction Circular No. 1, dated 2nd February 1923.)

- (26) *Statutory Civil Servant* means a native of India who was appointed, under notification of the Government of India in the Home Department No. 1534, dated the 22nd August 1879, to an office, place or employment mentioned in section 6 of Statute 33 Vict., chapter 3.
- (27) *Subsistence grant* means a monthly grant made to a Government servant who is not in receipt of pay or leave-salary.

- (28) *Substantive pay* means the pay, other than special pay or pay granted in view of personal qualifications, which a Government servant draws on account of a post which he holds substantively or by reason of his substantive position in a cadre.
- (29) *Technical pay* means pay granted to a Government servant in consideration of the fact that he has received technical training in Europe.
- (30) *Temporary post* means a post carrying a definite rate of pay sanctioned for a limited time.
- (31) *Time-scale pay* means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum. It includes the class of pay hitherto known as progressive.
- (32) *Travelling allowance* means an allowance granted to a Government servant to cover the expenses which he incurs in travelling in the interests of the public service. It includes allowances granted for the maintenance of conveyances, horses and tents.

PART II.

. Chapter III.—General Conditions of Service.

10. Except as provided by this rule, no person may be substantively appointed in India to a permanent post in Government service without a medical certificate of health, which must be affixed to his first pay bill. A local Government may make rules prescribing the form in which medical certificates should be prepared, and the particular medical or other officers by whom they should be signed. It may, in individual cases, dispense with the production of a certificate, and may by general order exempt any specified class of Government servants from the operation of this rule.

Conditions of age and health.

S. R. 7. A person whose age exceeds twenty-five years may not ordinarily be admitted into the service of Government in superior pensionable service, without the sanction of the Head of the Department. The ordinary age-limit is extended to twenty-eight years in the case of a Civil Assistant Surgeon, and thirty years in the case of a person appointed to a judicial office.

S. R. 8. A medical certificate of fitness for Government service shall be in the following form :—

“ I hereby certify that I have examined A. B., a candidate for employment in the.....Department, and cannot discover that.....has any disease, constitutional weakness or bodily infirmity, except.....I do not consider this a disqualification for employment in the office of A.B.'s age is, according to.....own statement.....years, and by appearance about.....years.”

S. R. 9. Such a certificate shall be signed by a commissioned medical officer of Government, or by a medical officer in charge of a civil station : Provided that—

- (1) in the case of a female candidate, the local Government may accept a certificate signed by any female medical practitioner; and
- (2) in the case of a candidate for appointment to a post on pay not exceeding fifty rupees, the appointing authority may accept a certificate signed by any officer, irrespective of his medical qualifications.

S. R. 10. No medical certificate is necessary upon a Government servant being promoted from inferior to superior service, whether the previous inferior service was qualifying or not.

11. Unless in any case it be otherwise distinctly provided, the whole time of a Government servant is at the disposal of the Government which pays him, and he may be employed in any manner required by proper authority, without claim for additional remuneration, whether the services required of him are such as would ordinarily be remunerated from general revenues, from a local fund or from the revenues of an Indian State.

12. (a) Two or more Government servants cannot be appointed substantively to the same permanent post at the same time.

(b) A Government servant cannot be appointed substantively, except as a temporary measure, to two or more permanent posts at the same time.

(c) A Government servant cannot be appointed substantively to a post on which another Government servant holds a lien.

13. If a Government servant is transferred to duty which there is reason to believe will not terminate within three years, and retains no connection with his substantive post, a local Government may suspend his lien upon that post and fill it substantively, subject to the condition that the arrangements thus made will be reversed on the return of the Government servant in question. When the Government servant transferred draws pay in a selection grade of a cadre, another Government servant may, subject to the same reservation, be promoted to the selection grade even if no change of duties is involved.

Government of India's decision.—The limit of three years mentioned in this rule, refers to the duration of the duty itself and not to the tenure of appointment by a particular officer. (Government of India, Finance Department, No. 4143-F., dated the 14th August 1900.)

14. Unless his lien is formally transferred or suspended by the local Government, a Government servant holding substantively a permanent post retains a lien on that post or on a post of the same character in the same cadre,—

(a) subject to the exception in rule 97, while on leave;

(b) while on foreign service or holding a temporary post or officiating in another post;

- (c) during joining-time on transfer to another post, unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post; and
- (d) while under suspension.

Note.—In the case of a chaplain, the acceptance during leave of a benefice in the United Kingdom is not acceptance of foreign service for the purpose of sub-clause (b) above.

15. A Government servant shall not, save in cases of inefficiency or misbehaviour, be transferred substantively to a post carrying less pay than his relative position in the cadre of the service to which he belongs would justify.

16. A Government servant may be required to subscribe to a provident fund, a family pension fund or other similar fund in accordance with such rules as the Secretary of State in Council may by order prescribe.

17. Subject to any exceptions specifically made in these rules, an officer shall begin to draw the pay and allowances attached to his tenure of a post with effect from the date when he assumes the duties of that post, and shall cease to draw them as soon as he ceases to discharge those duties.

Audit Instructions.—(1) A Government servant will begin to draw the pay and allowances attached to his tenure of a post with effect from the date on which he assumes the duties of that post, if the charge is transferred before noon of that date. If the charge is transferred in the afternoon, he commences to draw them from the following day. (Paragraph 9 of Audit Instructions issued up to 31st October 1922, and Article 52 (a), Civil Service Regulations.)

(2) A Government servant appointed to the Public Works Department by the Secretary of State begins to draw pay from the date of his landing in India, unless the letter of appointment distinctly specifies another date. (Paragraph 10 of Audit Instructions issued up to 31st October 1922.)

Charge of Office.

S. R. 11. Unless for special recorded reasons of a public nature the Head of a Department under whose orders the transfer takes place, permits or requires it to be made in any particular case elsewhere, or otherwise, the charge of an office must be made over at its headquarters, both the relieving and the relieved officers being present.

S. R. 12. The conditions imposed by rule 11 that both the relieving and relieved officer must be present is not enforced in the case

of officers who are permitted to combine vacation with leave under Fundamental Rule 82. In such cases the following procedure has been laid down :—

(a) When vacation is prefixed to leave the outgoing officer will report before leaving the headquarters or if for urgent reasons the leave is granted during vacation, as soon as it is granted, that he makes over charge with effect from the end of the vacation. The relieving officer will then take over charge at the end of the vacation in the ordinary way.

(b) When vacation is affixed to leave the officer to be relieved will make over charge in the ordinary way before the vacation, the incoming officer on return at the end of the vacation taking over charge with effect from the beginning of the vacation.

S. R. 13. The headquarters of a Government servant shall be in such place as the Head of a Department may prescribe.

NOTE.—The headquarters of an officer are, in the absence of any orders to the contrary, the station where the records of his office are kept.

Leaving Jurisdiction.

S. R. 14. No Government servant (other than a Police Officer acting within his legal powers or an Excise Officer acting under the orders of the Collector or any other Superior Authority) is entitled to pay or allowance for any time he may spend beyond the limits of his charge without proper authority.

S. R. 15. A Head of a Department may authorise any Government servant under his administrative control to proceed on duty to any part of British India, whether within or beyond his own jurisdiction, or to any Indian State or Foreign Settlement in India.

NOTE.—A Government servant permitted under this rule to proceed to any place on duty may take with him such establishment and records as are absolutely necessary for the efficient discharge of his duties.

S. R. 16. A controlling officer (*see* S. R. 183) may allow any Government servant subordinate to him to proceed on duty to any part of the territories of his local Government or to a district or Foreign State or Settlement adjoining the jurisdiction of the controlling officer and to draw travelling allowance under rule.

S. R. 17. When His Excellency the Governor is absent from his jurisdiction, a notification in the Gazette or an order of the local Government will be sufficient authority for the Audit Officer to pass his pay and allowances for the period and those of any member of his personal or Secretariat staff.

18. After five years' continuous absence from duty, elsewhere than on foreign service in India, whether with or without leave, a Government servant ceases to be in Government employ.

NOTE.—The Governor-General in Council is authorized to relax this rule in the case of Government servants lent to the Governments of Siam and Iraq.

PART III.**Chapter IV.—Pay.**

19. Subject to the provisions of rules made under section 45-A of the Act, and to any restrictions which the Secretary of State in Council may by order impose upon the powers of the Governor General in Council or the Governor in Council, as the case may be, the fixation of pay is within the competence of a local Government; provided that, except in the case of personal pay granted in the circumstances defined in rule 9 (23) (a), the pay of a Government servant shall not be so increased as to exceed the pay sanctioned for his post without the sanction of an authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased.

Audit Instructions.—It is not the intention of this rule that it should give a local Government power to grant less pay than is permissible under Fundamental Rules 22 and 23. (Paragraph 3, Audit Instruction Circular No. 10, dated the 15th December 1923.)

20. When a Government servant is treated as on duty under rule 9 (6) (b) above, the local Government may, if it thinks fit, by general or special order reduce the amount of his pay and allowances.

S. R. 18. (a) A Head of a Department may decide what pay shall be allowed to a Government servant treated as on duty under Fundamental Rule 9 (6) (b) up to the limit of the pay which he would have drawn but for his absence on such duty.

(b) In the case of a non-gazetted Government servant allowed to proceed outside the limits of the province, in which he is serving, the Head of the Department may, at his discretion, grant in addition a compensatory allowance not exceeding one-fifth of his pay, when he considers that the Government servant's expenses exceed those to which he might be put by a temporary transfer on duty within the province in which he is employed. If the place of his duty has been recognised as particularly expensive by the grant of special compensatory allowance to Government servants stationed there, he may be granted additional compensatory allowance similar to the compensatory allowance admissible in such places to a Government servant of his class.

S. R. 19. In the case of a student, who is not in Government service, the Head of the Department may allow such pay, not exceeding Rs. 250 a month, as it considers necessary.

Time-scale Pay.

21. Rules 22 to 29 inclusive and rule 32 apply to time-scales of pay generally. They do not, however, apply to any time-scale sanctioned by the Secretary of State in Council in so far as they are inconsistent with terms specially so sanctioned for such time-scale. •

22. When a Government servant is appointed substantively to a post on a time-scale of pay:—

- (a) (i) if he has not previously officiated in the post, or
- (ii) if he has officiated in it but his present substantive pay exceeds the pay which he last drew in it,

he will draw as initial pay the pay of the stage in the time-scale next above his present substantive pay, if any, and will draw increments after the periods usually required; and

- (b) if he has previously officiated in the post, but his present substantive pay does not exceed the pay which he drew when last officiating,

he will draw initial pay equal to that pay, and will count for increment in that stage the period during which he was drawing the said pay.

23. The holder of a post, the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay; provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale, or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final.

Audit Instructions.—If the maximum pay of a post is altered with no change in the rate of increment and the minimum, the initial pay of the holder of that post should be fixed under Fundamental Rule 22 (b) and not under Fundamental Rule 22 (a), even though he be holding the post substantively. (Paragraph 2, Audit Instruction Circular No. 8, dated the 15th October 1923.)

24. An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from a Government servant by a local Government, or by any authority to whom the local Government may delegate this power under rule 6, if his conduct has

not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments.

Government of India's order.—When the authority passing orders to withhold an increment fails to specify clearly for what period the officer is to be deprived of his increments, the deprivation should be held to cease on the expiry of the period during which the officer would have drawn the increment withheld and his future increments should not be withheld. (Government of India, Finance Department, No. 752-C.S.R., dated the 6th July 1919.)

25. Where an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be given to a Government servant without the specific sanction of the authority empowered to withhold increments.

S. R. 20. On each occasion on which a Government servant is allowed to pass an efficiency bar, which had previously been enforced against him he should ordinarily proceed from the efficiency bar to the next stage in time-scale. If, however, the authority competent to declare the bar removed, is of opinion that the Government servant should be restored to the time-scale at the stage he would have reached but for the operation of the efficiency bar, or at any intermediate stage, specific orders of the local Government must be obtained.

26. The following provisions prescribe the conditions on which service counts for increments in a time-scale:—

(a) All duty in a post to which a time-scale applies counts for increments in that time-scale.

(b) Officiating service in another post, service in a temporary post and leave other than extraordinary leave count for increments in the time-scale applicable to the post on which the Government servant concerned holds a lien, or would hold a lien had his lien not been suspended under rule 13.

(c) If a Government servant, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower post, count for increments in the time-scale applicable to such lower post.

(d) If a Government servant's tenure of a temporary post is interrupted by duty in another post or by leave other than extraordinary leave or by foreign service, such duty, leave or foreign service counts for increments in the time-scale applicable to the temporary post if the Government servant returns to the temporary post.

(e) Foreign service counts for increments in the time-scale applicable to—

(i) the post in Government service on which the Government servant concerned holds a lien, or would hold a lien had his lien not been suspended under rule 13, and

(ii) any post to which he may receive officiating promotion under rule 113 below, for the duration of such promotion.

Audit Instruction.—The intention of clause (e) is to allow the concession, irrespective of (1) whether the higher post is within or outside the department to which the Government servant belongs and (2) whether the Government servant, but for his appointment to the higher post, would have continued to officiate in the lower post or not. (Paragraph 6 of Audit Instruction Circular No. 16, dated 16th June 1924.)

27. An authority may grant a permature increment to a Government servant on a time-scale of pay if it has power to create a post in the same cadre on the same scale of pay.

Government of India's order.—In the case of increments granted in advance, it is usually the intention that the officer should be entitled to increments in the same manner as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary, he should be placed on exactly the same footing, as regards future increments as an officer, who has so risen. (Government of India, Finance Department, No. 752-C.S.R., dated the 6th July 1919.)

S. R. 21. A proposal to grant an increment of time-scale pay in advance of due date should always be scrutinized with special jealousy; it is contrary to the principle of time-scale pay to grant an increment before it is due, and such a grant should not be recommended or allowed, excepting under circumstances which would justify the grant of personal pay to a Government servant whose pay is fixed, that is to say, seldom if ever.

28. The authority which orders the transfer of a Government servant as a penalty from a higher to a lower grade or post may allow him to draw any pay, not exceeding the maximum of the lower grade or post, which it may think proper.

29. If a Government servant, who has been reduced to a lower grade or post on account of misconduct or inefficiency, is subsequently promoted or reinstated, his previous service in the grade or post from which he was reduced counts for increment unless the authority promoting or reinstating him declares that it shall not so count either in whole or in part.

Pay of officiating Government servants.

30. Subject to the provisions of Chapter VI, a Government servant holding one post substantively, if appointed to officiate in another, may not draw enhanced pay on account of the appointment unless the officiating appointment involves the assumption of duties or responsibilities of greater importance or of a different character. This condition is not fulfilled if the two posts are on the same scale of pay.

Note.—Two posts are said to be on the same scale of pay when they fall within a cadre or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post.

Exception (1).—This condition does not apply in the case of appointments to officiate in the Selection Grade of the Indian Police Service. [Has effect from 1st April, 1923.]

Exception (2).—In the case of any service, other than an all-India service, which is not organised on a time-scale basis and in which a system of acting promotion from grade to grade is in force at the time of introduction of these fundamental rules, a local Government may waive this condition until such time as the service is next reorganized.

Government of India Ruling.—As some doubt has been felt as to the application of *Exception (2)* in the case of ministerial and other establishments in which there are no grades in the sense in which the word is used in the Civil Service Regulations, the Government of India have decided that the exception is intended to cover, where necessary, all cases of the grant of acting allowances from one fixed rate of pay to another without change of duty in other than an all-India service. (Government of India, Finance Department, No. 738 C. S. R., dated the 13th July 1923.)

31. Subject to the provisions of rules 30 and 35, a Government servant officiating in a post will draw the presumptive pay of that post. If, however, the presumptive pay of the post, whether permanent or temporary, which he holds substantively is greater than the presumptive pay of the new post, he will draw pay equal to the presumptive pay of his substantive post.

Note.—If the post in which a Government servant officiates is tenable by a Government servant of any one of several grades or classes in a cadre and the fixation of the pay of all such grades or classes is within the competence of the local Government, the local Government may permit the officiating Government servant to draw the pay of any one of such grades or classes.

Audit Instructions.—(1) The pay of a Government servant officiating in a post, the pay of which is subject to increase upon the passing of an examination, or upon the completion of a certain period of service, is the pay which he would from time to time receive if he held the post substantively. (Paragraph 11 of Audit Instructions issued up to 31st October 1922.)

(2) The pay of a Government servant officiating in a post, the pay of which has been reduced with effect from the next succession thereto, is the reduced pay. (Paragraph 12 of Audit Instructions issued up to 31st October 1922.)

32. A Government servant officiating in a post on a time-scale draws as initial pay the stage of the time-scale next above his substantive pay, if any; provided that, if he has previously officiated in the post or in a post in the same cadre on the same time-scale, his initial pay shall not be less than the pay which he drew when last officiating. All officiating service in any stage of the time-scale, whether continuous or not, counts for increment in that stage. If the presumptive pay of the Government servant's substantive post at any time exceeds the pay calculated under this rule, he will draw pay equal to that presumptive pay.

Note.—In cases where the fixation of the time-scale of pay is within the competence of the local Government, the local Government may permit the officiating Government servant to draw as initial pay any stage of the time-scale.

Audit Instructions.—(1) The notes under Fundamental Rules 31 and 32 provide for cases in which the pay of a post is undetermined because the post may be held by a Government servant in any of several grades or in any stage of a time-scale. In such cases Local Government have full powers to fix the pay of the officiating Government servant up to the maximum which can be drawn by a substantive holder, provided that such maximum is within their powers of sanction. Cases in which pay has been fixed on the

assumption that the post will be held by a member of a particular service will be covered by these notes as well as rule 33 read with rule 21. If the service concerned is an all-India service, rule 21 will apply. If it is not an all-India service, the Local Government have full powers, provided that the maximum pay of the post is within their power of sanction. (Paragraph 14 of Audit Instructions issued up to 31st October 1922.)

(2) A time-scale is generally attached to a particular cadre or class in a cadre or a time-scale may be of recent introduction whereas the class to which it is attached may have been in existence before the time-scale came into force, with a different rate of pay attached to it. If a Government servant has officiated in the cadre or class prior to the introduction of the new time-scale and has drawn during the officiating tenure salary equal to a stage or intermediate between two stages in a time-scale then such officiating service may be counted for increment in the same stage or, if the salary was intermediate between two stages, in the lower stage. (Paragraph 13 of Audit Instructions issued up to 31st October 1922.)

33. When a Government servant officiates in a post the pay of which has been fixed at a rate personal to another Government servant, a local Government may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, not exceeding the lowest stage of that time-scale.

Audit Instructions.—This rule prescribes the initial rate of pay of a Government servant officiating in a post the pay of which has been fixed at a rate personal to another Government servant. If the pay thus personally fixed is on a time-scale it is not intended that an officiating incumbent should be debarred from drawing increments in the time-scale according to the ordinary rules. (Paragraph 15 of Audit Instructions issued up to 31st October 1922.)

34. If a military officer holding substantively a post in a civil department officiates in a military post, he will draw in the military department the emoluments to which he would have been entitled under military rules had his substantive post been a post under the military department.

35. A local Government may fix the pay of an officiating Government servant at an amount less than that admissible under these rules.

Audit Instructions.—One class of cases coming under this rule is that in which a Government servant merely holds charge of the current duties and does not perform the full duties of the post. (Paragraph 16 of Audit Instructions issued up to 31st October 1922.)

36. A local Government may issue general or special orders allowing acting promotions to be made in the place of Government servants who are treated as on duty under Rule 9 (6) (b).

Personal pay.

37. Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

Pay of Official Members of the Indian Legislature.

38. A Government servant nominated as a member of the Legislative Assembly or the Council of State shall receive, while serving on the Assembly or the Council, the pay which he would from time to time have drawn had he not been so serving. He shall receive, in addition, such travelling allowance as the Governor General in Council may fix.

Government of India's decision.—The Government of India have decided that the correct procedure under the Fundamental Rules is to create for the officer selected to attend the Session, a temporary post for the period of his absence from his headquarters. It will then be possible to make arrangements for the performance of his regular duties without departing from the rules. (Government of India, Finance Department, No. 2291 C. S. R., dated 20th December 1923.)

Pay of temporary posts.

39. When a temporary post is created which may have to be filled by a person not already in Government service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

40. When a temporary post is created which will probably be filled by a person who is already a Government servant, its pay should be fixed by the local Government with due regard to—

- (a) the character and responsibility of the work to be performed, and
- (b) the existing pay of Government servants of a status sufficient to warrant their selection for the post.

Audit Instructions.—Under the Fundamental Rules special duty or deputation in India is not recognised. A temporary post must be created for the performance of that duty. If the special duty is to be undertaken in addition to the ordinary duties of the Government servant, then rules 39 and 49 will apply. (Paragraph 17 of Audit Instructions issued up to 31st October 1922.)

41. A person appointed to a temporary post will draw the pay of that post.

Subsistence Grants.

42. A local Government may make a subsistence grant to a Government servant in the following circumstances:—

- (a) To any Government servant other than a military officer, while under suspension.
- (b) To any Government servant appointed in the United Kingdom, up to a maximum of two months, if, on first arrival in India, he is prevented by illness from proceeding to the seat of the Government to which he is attached or to any other station to which he is ordered to proceed direct.

43. The amount of subsistence grant shall be regulated as follows:—

(a) In the case of—

- (i) a member of the Indian Civil Service, a statutory civil servant or a military commissioned officer subject to the civil leave rules; or
- (ii) any other Government servant receiving subsistence grant under rule 42 (b),

it shall be such as the Secretary of State in Council may by general order prescribe.

- (b) In the case of any Government servant under suspension, other than a member of the Indian Civil Service or a military commissioned officer subject to the civil leave rules, it shall be such as the suspending authority may direct, but shall in no case exceed one-fourth of the pay of the suspended Government servant.

Secretary of State's Rules under Fundamental Rule 43 (a), regarding subsistence grants.—

1. The subsistence grant of a member of the Indian Civil Service, a statutory civil servant or a military commissioned officer subject to the civil leave rules shall be as shown in the following table:—

Period spent by the Government servant on duty in India.	AMOUNT OF THE GRANT.	
	If drawn out of Asia.	If drawn in Asia.
	£	Rs.
Not more than 8 years	33½	333½
More than 8, but not more than 12 years	42½	426½
More than 12, but not more than 16 years	53½	533½
More than 16 years	66½	666½

2. The subsistence grant of a Government servant appointed in the United Kingdom, other than the Government servants mentioned in paragraph 1 above, who, on first arrival in India, is prevented by illness from proceeding to the seat of Government to which he is attached or to any other station to which he is ordered to proceed direct, shall be Rs. 250 or the pay to which he will be entitled when he takes over charge of his duties, whichever is less. (Government of India, Finance Department, No. 421 C. S. R., dated the 10th May 1922.)

S. R. 22. A Government servant of the Marine Department whose duties are not confined to the shore, will draw, in addition to the subsistence grant, rations, or when rations are not issued, compensation in lieu thereof.

Chapter V.—Additions to Pay.

Compensatory allowances.

44. "Subject to any restrictions which the Secretary of State in Council may by order impose upon the powers of the Governor General in Council or the Governor in Council, as the case may be, and to the general rule that the amount of a compensatory allowance should be so regulated that the allowance is not on the whole a source of profit to the recipient, a local Government may grant such allowances to any Government servant under its control and may make rules prescribing their amounts and the conditions under which they may be drawn.

Note.—Compensatory allowance does not include the grant of a free passage to or from the United Kingdom, which requires the general or special sanction of the Secretary of State in Council; nor, for the purpose of this rule does it include a sumptuary allowance.

Secretary of State's Rules regarding the grant of Exchange Compensation Allowance.—The Secretary of State in Council reserves to himself the power of sanctioning the grant to Government servants of exchange compensation allowance; and has issued the following orders regarding the conditions under, and the rate at, which exchange compensation allowance may be drawn:—

1. In these orders—

- (a) *Current rate of exchange* means the rate of exchange for telegraphic transfers from Calcutta on London on the twentieth day of the month preceding that in which a claim for exchange compensation allowance is made.
- (b) *Exchange compensation allowance* means a compensatory allowance granted to compensate a Government servant for a fall of the sterling value of the rupee below one shilling and six pence.
- (c) *Quarter* means a period of three months ending on the 31st March, the 30th June, the 30th September or the 31st December.

2. The following classes of Government servants may draw exchange compensation allowance:—

- (a) Members of the Indian Police Service, recruited prior to 1906, who were in receipt of the allowance on the date on which these orders came into force.
- (b) Government servants who, on the date on which these orders came into force, were serving under a contract which provided for the grant of the allowance, for so long as they continue so to serve.
- (c) Any other Government servant, whom the Secretary of State in Council may declare to be eligible for the allowance.

3. The amount of exchange compensation allowance admissible to a Government servant is the number of rupees by which onehalf of his pay falls short of the sum, which, when converted at the current rate of exchange, will yield the sterling equivalent of one-half of his pay converted at the rate of one shilling and six pence: provided that the total amount of exchange compensation allowance drawn by a Government servant in any quarter shall not exceed the number of rupees by which a sum of £250, converted into rupees at the rate of one shilling and six pence, falls short of the rupee equivalent of the same sum when converted at the current rate of exchange.

4. (a) Exchange compensation allowance cannot be drawn by a Government servant while on foreign service or under suspension.

(b) Exchange compensation allowance, if otherwise admissible, may be drawn by a Government servant during the first four months of any period of leave on average pay. (Government of India, Finance Department, Resolution No. 2657 F. E., dated the 19th December 1922.)

Audit Instructions.—The word “drawn” in paragraph 3 of the above Government of India resolution should be interpreted as “earned.” (Paragraph 5 of Audit Instruction Circular No. 4, dated 28th May 1923.)

Secretary of State's Rules regarding grant of free passages.—The Secretary of State in Council has decided that, with effect from the 1st October 1923, the rates of passage allowance referred to in Note to Fundamental Rule 44 for issue to officers, who are allowed to make their own arrangements, shall be as follows:—

	1st class.	2nd class.
	£ s.	£ s.
Between the United Kingdom and any port in India proper	49 10	39 0
Between the United Kingdom and Aden direct	43 10	33 0
Between the United Kingdom and Rangoon direct	72 0	62 0

These rates are subject to conversion at the market rate of exchange based on the Calcutta Banks selling rates for demand drafts on London as advised weekly by the Controller of the Currency. (Government of India, Finance Department, No. 280-C. S. R., dated the 21st February 1924.)

Secretary of State's order regarding the grant of passages.—The Local Government may grant passages, including, if necessary, travelling expenses by rail to the port of embarkation, in urgent cases where, in its opinion, it is very desirable that a Government servant or the dependents of a Government servant should leave India and where the pecuniary circumstances of the individuals concerned are such that they are unable to leave without such assistance. Where the circumstances specially warrant it, a return passage may also be sanctioned for any Government servant entitled to a return passage on the termination of his agreement, whose

services are retained in the public interest beyond the original period of his agreement; the Local Government may also sanction an extension of an original concession in regard to free passages home for a Government servant's family. (*Vide* G. I. Memorandum on the treatment of Travelling Allowance Rules in the Civil Service Regulations.)

Audit Instructions.—(1) No revision of claims of travelling allowance is permissible in cases where a Government servant is promoted or reverted or is granted an increased rate of pay with retrospective effect, in respect of the period intervening between the date of promotion or reversion or grant of increased rate of pay, and that on which it is notified, unless it is clear that there has been an actual change of duties. (Paragraph 18 of Audit Instructions issued up to 31st of October 1922.)

(2) A Government servant transferred from one province to another will draw travelling allowance for the journey according to the rules in force at the time of transfer in the province to which he is transferred. (Paragraph 19 of Audit Instructions issued up to 31st of October 1922.)

(3) "Hill Allowance" falls under "compensatory allowance". Local Governments have power to sanction them under Fundamental Rule 44. (Paragraph 20 of Audit Instructions issued up to 31st of October 1922.)

Subsidiary Rules for Travelling Allowance under Fundamental Rule 44.

Definitions.

S. R. 23. In these rules—

- (a) *Actual travelling expenses* means the actual cost of transporting a Government servant with his servants and personal luggage, including charges for ferry and other tolls and for carriage of camp equipment, if necessary. It does not include charges for hotels, travellers' bungalows or refreshments or for the carriage of stores or conveyances or for presents to coachmen and the like; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants.
- (b) *Camp equipage* means the apparatus for moving a camp.
- (c) *Camp equipment* means tents and the requisites for pitching and furnishing them or, where tents are not carried, such articles of camp furniture as it may be necessary, in the interests of the public service, for a Government servant to take with him on tour.
- (d) *Competent authority*, in relation to the exercise of any power, means the local Government or any authority to which the power is delegated by or under these rules.

NOTE.—A list of authorities competent to exercise different powers delegated under these subsidiary rules is given in the Delegation Chapter.

- (e) *Day* means a calendar day, beginning and ending at midnight; but an absence from headquarters which does not exceed twenty-four hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.
- (f) *Family* means a Government servant's wife, legitimate children and step-children, residing with and wholly dependent upon him. Except in rule 85, it includes in addition his parents, sisters and minor brothers, if residing with and wholly dependent upon him. Not more than one wife is included in a family for the purpose of these rules.
- (g) *Hill Station* means any place which a competent authority may declare to be a hill station.

NOTE.—The entire district of Darjeeling is treated as a hill station.

(h) *Holiday* means—

- (a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881, and

- (b) in relation to any particular office, a day on which such office is ordered, by notification of Government in the Gazette, to be closed for the transaction of Government business without reserve or qualification.
- (i) *Public conveyance* means a train, steamer or other conveyance which plies regularly for the conveyance of passengers.
- (j) *Transfer* means the movement of a Government servant from one headquarter station in which he is employed to another such station, either
 - (a) to take up the duties of a new post; or
 - (b) in consequence of a change of his headquarters.

Chapter I.—Grades of Government servants.

Section I.—Distribution into Grades.

General rules. **S. R. 24.** For the purpose of calculating travelling allowance, Government servants are divided into four grades as follows :—

- (a) The first grade includes all officers of Government in receipt of actual pay exceeding Rs. 750 per mensem as well as other officers of the services included in the following schedule :—

Schedule.

- (1) Indian Civil Service.
 - (2) Indian Police Service.
 - (3) Indian Forest Service.
 - (4) Indian Educational Service.
 - (5) Indian Service of Engineers.
 - (6) Indian Agricultural Service.
 - (7) Indian Veterinary Service.
 - (8) Indian Medical Service.
 - (9) Non-Indian Medical Service officers holding Civil Surgeoncies.
 - (10) Officers holding appointments reserved for or included in the cadre of the all-India Services.
 - (11) Subdivisional Officers and Additional Subdivisional Officers when touring within their subdivisions or travelling to or from the headquarters of their districts except on transfer.
- (b) The second grade includes all Government servants in receipt of actual pay of not less than Rs. 150, but not exceeding Rs. 750 and not included in the first grade.
- (c) The third grade includes all other Government servants in superior service, except forest guards.
- (d) The fourth grade includes forest guards and all Government servants in inferior service.

NOTE.—The class of an officer should be determined with reference to his "Pay" as defined in Fundamental Rule 9(21) and not with reference to his substantive pay.

S. R. 25. A competent authority may, for reasons which should be recorded, order that any Government servant or class of Government servants shall be included in a grade higher than that prescribed in rule 24. **Special concession.**

NOTE 1.—All Chaplains under the administrative control of the Bengal Government will be treated as officers of the first grade.

NOTE 2.—Senior Military Assistant Surgeons with Commissioned rank of Major, Captain and Lieutenant and Civil Assistant Surgeons who on return from Military duty have been, or will be, permitted to retain their honorary rank in the Indian Medical Service, shall be classified as first grade officers.

S. R. 26. A Government servant in transit from one post to another ranks in the grade to which the lower of the two posts would entitle him. **Government servants in transit from one post to another.**

S. R. 27. A Government servant whose whole time is not retained for the public service, or who is remunerated wholly or partly by fees, ranks in such grade as a competent authority may declare. **Part-time Government servants, etc.**

NOTE.—The Public Prosecutor of the 24-Parganas is a first grade officer. All other Government Pleaders and Public Prosecutors are second grade officers for the purpose of travelling allowance rules.

Chapter II.—The different kinds of travelling allowance.**Section II.—General.**

General rule. **S. R. 28.** The following are the different kinds of travelling allowances which may be drawn in different circumstances by Government servants :—

- (a) Permanent travelling allowance.
- (b) Conveyance or horse allowance.
- (c) Mileage allowance.
- (d) Daily allowance.
- (e) The actual cost of travelling.

The rules in this chapter explain the nature of these allowances and the method of calculating them. The circumstances in which they can be drawn for particular journeys are described in Chapters III to V.

Section III.—Permanent travelling allowance.

Conditions of grant. **S. R. 29.** A permanent monthly travelling allowance may be granted by a competent authority to any Government servant whose duties require him to travel extensively. Such an allowance is granted in lieu of all other forms of travelling allowance for journeys within the Government servant's sphere of duty and is drawn all the year round, whether the Government servant is absent from his headquarters or not.

NOTE.—A list of Government servants to whom permanent monthly travelling allowance has been granted is given in Appendix No. 4.

When inadmissible. **S. R. 30.** A permanent travelling allowance cannot be drawn during joining time nor, unless in any case it be otherwise expressly provided in these rules, during any period for which travelling allowance of any other kind is drawn. Its drawal during leave is governed by rules made under Fundamental Rule 93.

Combination of posts. **S. R. 31.** When a Government servant holds, either substantively or in an officiating capacity, two or more posts to each of which a permanent travelling allowance is attached, he may be granted such permanent travelling allowance, not exceeding the total of all the allowances, as the competent authority may consider to be necessary in order to cover the travelling expenses which he has to incur.

Section IV.—Conveyance and horse allowance.

Conditions of grant. **S. R. 32.** A competent authority may grant, on such conditions as it thinks fit to impose, a monthly conveyance or horse allowance to any Government servant who is required to travel extensively at or within a short distance from his headquarters under conditions which do not render him eligible for daily allowance. The competent authority should also decide at the time of granting the allowance if

a Government servant should give, for purposes of audit, a certificate of possession of a means of conveyance.

NOTE 1.—Conveyance, horse and motor car allowances are subject to the following maxima :—

					Rs.
(i) For one horse—					
In Calcutta	..	..	..	..	35
In other expensive places	..	..	..	..	30
In ordinary places	..	..	..	..	25
(ii) For two horses—					
Expensive places	..	..	..	..	60
Ordinary places	..	..	..	..	50
(iii) For a horse and carriage	..	..	..	..	50
(iv) For a pony—					
Expensive places	..	..	..	..	20
Ordinary places	..	..	..	..	15
(v) For occasional conveyance in and about a large town—					
Officers on pay over Rs. 300	..	..	..	..	Nil.
Chaplains and officers on pay of Rs. 100 and not exceeding Rs. 300	..	..	..	..	20
Officers on pay below Rs. 100	..	..	..	..	15
(vi) For a motor car, four-seated	..	..	..	..	150
(vii) For a motor car, two-seated	..	..	..	..	100
(viii) For a motor cycle	..	..	..	..	50
(ix) Boat allowance: according to circumstances of each case.					

A certificate of maintenance is required for audit purposes.

NOTE 2.—A list of Government servants to whom monthly conveyance or horse allowance has been granted is given in Appendix No. 5.

NOTE 3.—An Assistant or Sub-Assistant Surgeon may be granted by the Local Government a special daily conveyance allowance for the periods during which, on account of epidemics, he has an unusual amount of travelling to do.

NOTE 4.—Any Government servant summoned temporarily on duty to Calcutta may be granted such conveyance allowance not exceeding Rs. 3 a day as the Local Government think fit, provided that the Government servant may not draw conveyance allowance if or while he is entitled to a daily travelling allowance.

S. R. 33. Except as otherwise provided in these rules and unless When drawn. the authority sanctioning it otherwise direct, a conveyance or horse allowance drawn all the year round, is not forfeited during absence from headquarters and may be drawn in addition to any other travelling allowance admissible under these rules : Provided that a Government servant, who is in receipt of a conveyance allowance specifically granted for the upkeep of a motor-car or motor-cycle, shall not draw mileage or daily allowance for a journey by the motor-car or motor-cycle, beyond a radius of 5 miles from the headquarters, when the journey out and back is completed in one day.

Exceptions.—The Government of Bengal exempts the following Government servants stationed in Calcutta, its suburbs and Barrackpore from the operation of the above rule :—

- (1) Executive Engineer, 1st, 2nd and 3rd Calcutta Divisions.
- (2) Executive Engineer, Electrical Division.
- (3) Chief Inspector of Factories.
- (4) Chief Inspector of Steam Boilers.
- (5) Chief Inspector of Smoke Nuisance.
- (6) Assistant Electric Inspector to the Government of Bengal.
- (7) Certifying Surgeon of Factories.

During leave and joining time.

S. R. 34. A conveyance or horse allowance may not be drawn during joining time. Its drawal during leave is governed by rules made under Fundamental Rule 93.

Section V.—Mileage allowance.

SUB-SECTION (1).—GENERAL.

Definition.

S. R. 35. A mileage allowance is an allowance, calculated on the distance travelled, which is given to meet the cost of a particular journey.

Principles of calculation.

S. R. 36. (a) For the purpose of calculating mileage allowance, a journey between two places is held to have been performed by the shortest of two or more practicable routes or by the cheapest of such routes as may be equally short: Provided that, when there are alternative railway routes and the difference between them in point of time and cost is not great, mileage allowance should be calculated on the route actually used.

(b) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt, a competent authority may decide which shall be regarded as the shortest of two or more routes.

(c) If a Government servant travels by a route which is not the shortest but is cheaper than the shortest, his mileage allowance should be calculated on the route actually used.

NOTE.—When a Government servant travels by a route which is not the direct or the cheapest route, it is necessary that he should show in the travelling allowance bill, the details of the journey, and the various stages by which it was made. It is for the Controlling Officer to say whether it was necessary for the Government servant to travel by these stages.

Special concessions.

S. R. 37. A competent authority may, for special reasons which should be recorded, permit mileage allowance to be calculated on a route other than the shortest or cheapest: Provided that, the journey is actually performed by such route. Where, however, this concession is allowed because the shortest route was impracticable for travelling at the time the journey was performed, the competent authority should obtain and record a certificate from the Collector of the district that no shorter route was practicable than that which was adopted.

Point of commencement and end of journey.

S. R. 38. The point in any station at which a journey is held to commence or end is the chief public office or such other point as may be fixed for the purpose by a competent authority.

NOTE 1.—When an officer travels from, or to, a place which is the headquarters of a police-station, his journey should, for the purposes of calculating travelling allowance, be held to commence from, or end at, the police-station.

NOTE 2.—The Court-house of the Chief Local Executive Authority should be considered as the point from which a journey is held to commence or at which it is held to end.

NOTE 3.—In cases of Government servants attached to the Bengal Engineering College, Sibpur, the point from which journeys should be held to commence is the College, and the shortest route between the College and Calcutta is by ferry steamer via Chandpal Ghat. As the distance is thus less than 5 miles Government servants attached to the College are not entitled to any travelling allowance for journeys to Calcutta except ferry tolls (*vide* Subsidiary Rule 89).

NOTE 4.—Russha Toll Station is the point from which journeys should be held to commence and at which they should be held to end in the case of Public Works Department Government servants.

S. R. 39. Mileage allowance is differently calculated, as shown in the following rules, according as the journey is, or could be made by railway, by steamer or by road.

Different rates for different classes of journey.

SUB-SECTION (II).—MILEAGE ALLOWANCES FOR JOURNEYS BY RAILWAY.

S. R. 40. For the purpose of calculating mileage allowance, Government servants when travelling by railway are considered to be entitled to class accommodation according to the following scale:—

Classes of accommodation for which Government servants are considered to be eligible.

- (a) *A Government servant of the first grade.*—Accommodation of the highest class, by whatever name it may be called, provided on the railway by which he travels.
- (b) *A Government servant of the second grade.*—Second or, if the line by which he travels provides no second class accommodation on any train, highest class.
- (c) *A Government servant of the third grade.*—
 - (i) If travelling on the Darjeeling-Himalayan Railway, except the Siliguri-Kissenganj extension; third class.
 - (ii) If travelling on any other railway which provides no intermediate class accommodation on any of the trains which stop at the stations to and from which he is travelling, including the Siliguri-Kissenganj extension—
 - (1) where there are two classes only, lower class, and
 - (2) where there are three classes, second class, if his pay is not less than Rs. 50 and third class, if it is less than Rs. 50.
 - (iii) If travelling on any railway which provides intermediate class accommodation on trains which stop at the stations to and from which he is travelling: intermediate class.
- (d) *A Government servant of the fourth grade.*—The lowest class, whether it be called lower, third or fourth.

NOTE.—The expression “where there are two classes only” in this rule is to be taken as meaning where only two such classes are provided in the general passenger trains of the railway concerned.

S. R. 41. A competent authority may, for special reasons which should be recorded, declare any particular Government servant or class of Government servants to be entitled to accommodation of a higher class than that prescribed for his grade in clause (b), (c) or (d) of rule 40.

Special concessions.

S. R. 42. The mileage allowance admissible to a Government servant of the 1st, 2nd or 3rd grade is one and three-quarter fares of the class in which he is entitled to accommodation, except in the case of—

- (1) journeys on transfer,
- (2) journeys under 75 miles and an absence from headquarters of more than 24 hours, both conditions to be fulfilled, and

- (3) journeys of Government servants required to accompany the Government of Bengal to Darjeeling, which are governed by the Darjeeling Allowance Code,

in which case double fare will be allowed. The mileage allowance admissible to a Government servant of the 4th grade is the fare of the lowest class.

Where the class to which the Government servant is entitled is not provided on the train.

S. R. 43. If a Government servant of the second or third grade actually travels by a train which does not provide the class of accommodation to which he is entitled under rule 40 he may be allowed to draw the mileage allowance of the next higher class: Provided that the controlling officer attaches to his travelling allowance bill a certificate that it was necessary in the public interest that he should travel by that train. This concession does not apply to a Government servant of the third grade whose pay is less than Rs. 50 and who travels on a line which provides intermediate class accommodation on one or more of its trains but not on the particular train on which he travels, if there be third class accommodation on that train. Such a Government servant is restricted to mileage allowance calculated for intermediate class accommodation.

Through booking.

S. R. 44. When through booking involves the payment, for part of a journey, of rates for accommodation of a class higher than that to which the Government servant concerned is entitled, the Government servant may draw mileage allowance based on the higher rates for that part of the journey.

SUB-SECTION (III).—MILEAGE ALLOWANCES FOR JOURNEYS BY SEA OR RIVER IN A STEAMER.

Classes of accommodation to which Government servants are considered to be entitled.

S. R. 45. For the purpose of calculating mileage allowance for journeys by sea or river in a steamer, Government servants are considered to be entitled to class accommodation according to the following scale:—

- (a) *A Government servant of the first grade.*—Highest class.
- (b) *A Government servant of the second grade.*—Second class or if there is no second class accommodation in the steamer by which he travels, first class.
- (c) *A Government servant of the third grade.*—If there be two classes only on the steamer, the lower class;
if there be three classes, middle or second class;
if there be four classes, third class:

Provided that a competent authority may direct that any Government servant whose pay does not exceed Rs. 35 is entitled, for journeys generally or for particular journeys, to accommodation in the lowest class only.

- (d) *A Government servant of the fourth grade.*—Lowest class.

NOTE 1.—A steam vessel of more than 90 tons gross tonnage, or one of whatever size which belongs to a regular steamer service for the conveyance of passengers at fixed fares is "a steamer" for the purpose of regulating travelling allowances.

NOTE 2.—Arrangements for free passages of Government servants by steamers to London should be made by recognised shipping companies through the Audit office.

S. R. 46. The mileage allowance admissible to a Government servant of the first, second or third grade is double the fare of the class in which he is entitled to accommodation. The mileage allowance admissible to a Government servant of the fourth grade is the fare of the lowest class. Rates of mileage allowance.

In cases where the steamer company has two rates of fare, one inclusive and one exclusive of diet, the word "fare" in this rule should be held to mean fare exclusive of diet.

S. R. 47. In cases of doubt or in which, owing to the arrangement of classes on a steamer, the provisions of rule 45 if strictly construed involve hardship, a competent authority may decide, for journeys generally or for particular journeys, to what class of accommodation a Government servant is entitled; and whether, if a concession is sanctioned, he should be granted the full allowance admissible for the higher class in which he is permitted to travel. Special concessions.

NOTE.—Assistant Inspectresses of Schools and Female Inspecting Government servants of similar position are allowed first class accommodation for journeys by steamer.

S. R. 48. The rules in this sub-section apply to Government servants who cross a river or arm of the sea by steamer in the course of a journey, unless such crossing occurs during a railway journey and the charge for it is included in the railway fare. In the latter case, the crossing is treated as part of the railway journey. Crossing a river or arm of the sea.

NOTE.—The journey between Goalundo and Narainganj is not a "river crossing" within the meaning of this rule.

S. R. 49. If suitable accommodation on a Government vessel is offered to a Government servant, he is entitled to travelling allowance under rule 173 and not to mileage allowance. It is not open to him to refuse to accept such accommodation and to draw mileage allowance. Travelling by Government steamer.

SUB-SECTION (IV).—MILEAGE ALLOWANCE FOR JOURNEYS BY ROAD.

S. R. 50. For the purpose of these rules, travelling by road includes travelling by sea or river in any vessel other than a steamer and travelling by canal. Definition of travelling by road.

S. R. 51. (a) For journeys by road, mileage allowance is calculated at the following rates for each mile travelled:— Ordinary mileage rates.

- A Government servant of the first grade—8 annas,*
- A Government servant of the second grade—4 annas,*
- A Government servant of the third grade—2 annas,*
- and*
- A Government servant of the fourth grade—1 anna.*

(b) When a Government servant travels within the territories administered by a local Government which has fixed special rates

for Government servants under its administrative control, he must draw mileage allowance at the rate so fixed for his grade.

NOTE 1.—Road mileage is admissible to an officer performing journeys by motor car between places connected by rail, if any public interest is served by the road journey, which would not have been served had the officer travelled by rail, such as the savings of public time or inspection *en route*, etc. The necessity for such road journeys should be clearly set forth in the travelling allowance bill.

NOTE 2.—In cases where the journey is made by a service open to the public on hire, the mileage allowance shall not exceed twice the actual fare charged.

NOTE 3.—When a tour by motor car or motor cycle commences from a place distant from headquarters and there is rail communication between that place and headquarters the charge on account of the journey to such place shall be limited to the amount chargeable had the Government servant proceeded there by rail. It should seldom be necessary to take the motor to such place by rail.

Special concessions.

S. R. 52. A competent authority may, for special reasons to be recorded, allow to a particular Government servant or class of Government servants mileage allowance at a higher rate than is prescribed in rule 51.

NOTE.—The following special rates of mileage allowance have been granted by the Local Government :—

- (1) Assistant Inspectors of Schools for Muhammadan Education and Assistant Inspectresses of Schools—6 annas.
- (2) Settlement and Assistant Settlement Officers and Settlement Kanungoes appointed as Technical Advisers (50 per cent. extra subject to maxima of)—8 annas.
- (3) Superintendents of Excise and Salt on pay ranging from Rs. 275 to Rs. 600—6 annas.
- (4) Indian Aide-de-Camp to His Excellency the Governor, when accompanying His Excellency on tour (first grade rate)—8 annas.

Treatment of fractions of a mile.

S. R. 53. In calculating mileage allowance for journeys by road, fractions of a mile should be omitted from the total of a bill for any one journey but not from the various items which make up the bill.

Section VI.—Daily allowance.

Definition.

S. R. 54. A daily allowance is a uniform allowance for each day of absence from headquarters, which is intended to cover the ordinary daily charges incurred by a Government servant in consequence of such absence.

NOTE 1.—For absence from headquarters not exceeding 24 hours beginning and ending in different calendar days, a Government servant is restricted to one day's daily allowance, which may be exchanged for mileage, rail fare or steamer fare under the provision of rule 81.

NOTE 2.—When a Government servant leaves his headquarters on one day and returns the next and claims daily allowance for more than one day, the hours of departure from and of return to headquarters must be given in the bill.

NOTE 3.—When daily allowance is claimed for journeys by road on tour, the distance travelled on the day of departure from and on the day of return to headquarters should always be stated in the bill.

General rule as to drawing of daily allowance.

S. R. 55. Unless in any case it be otherwise expressly provided in these rules, a daily allowance may be drawn while on tour by every Government servant whose duties require that he should travel, and may not be drawn except while on tour.

S. R. 56. (a) Daily allowances are drawn on the following scale :—

- (i) A Government servant of the first grade, Rs. 6.
- (ii) A Government servant of the second grade, annas 5 for every Rs. 25 or fraction of Rs. 25 of his pay, subject to a maximum of Rs. 4.
- (iii) A Government servant of the third grade, annas $2\frac{1}{2}$ for every Rs. $12\frac{1}{2}$ or fraction of Rs. $12\frac{1}{2}$ of his pay, subject to a minimum of annas 5.
- (iv) A Government servant of the fourth grade, annas 4 if he travels outside the province, and annas 3 if he travels within the province.

(b) When a Government servant travels within the territories administered by a local Government which has fixed special rates of daily allowance for Government servants under its administrative control, he must draw daily allowance at the rate so fixed for his grade.

S. R. 57. A competent authority may, for reasons which should be recorded and on such conditions, as it may think fit to impose, sanction for any Government servant or class of Government servants a daily allowance higher or lower than that prescribed in rule 56, **Special concessions.**

NOTE. —A list of special rates of daily allowance for different Government servants is given in Appendix No. 6.

Section VII.—Actual expenses.

S. R. 58. Unless in any case it be otherwise expressly provided in these rules, no Government servant is entitled to be provided with means of conveyance by, or at the expense of Government, or to draw as travelling allowance the actual cost or part of the actual cost of travelling. **Actual expenses not admissible except under specific rule.**

Chapter III.—Travelling allowance admissible for different classes of journey.

Section VIII.—General.

Travelling allowance calculated with reference to the purpose of the journey.

S. R. 59. The travelling allowance admissible to a Government servant for any journey is calculated with reference to the purpose of the journey in accordance with the rules laid down in sections IX to XX.

Recovery of cost of transporting personal luggage, etc.

S. R. 60. Unless in any case it be otherwise expressly provided in these rules, a Government servant making a journey for any purpose is not entitled to recover from Government the cost of transporting his family or his personal luggage, conveyances, tents and camp equipage.

Higher rates for journeys in expensive localities.

S. R. 61. A competent authority may, by general or special order, direct that the ordinary rates of daily allowance or mileage allowance or both, shall be increased either in a definite ratio or in any other suitable manner for any or all Government servants travelling in any specified locality in which travelling is unusually expensive.

NOTE.—A list of special rates of daily allowance and mileage admissible to all Government servants travelling in special localities is given in Appendix No. 7. A Government servant mentioned in this Appendix cannot draw more even though, he may, under the ordinary rules, be entitled to a higher rate.

Journeys by special conveyance.

S. R. 62. When a Government servant of a grade lower than the first grade is required by the order of a superior authority to travel by special means of conveyance, the cost of which exceeds the amount of the daily allowance or mileage allowance admissible to him under the ordinary rules, he may draw the actual cost of travelling in lieu of such daily or mileage allowance. The bill for the actual cost must be supported by a certificate, signed by the superior authority and countersigned by the controlling officer, that the use of the special means of conveyance was absolutely necessary and specifying the circumstances which rendered it necessary.

NOTE 1.—It is not intended that any general orders should be given or that any general practice should prevail allowing a certain class of officials actual expenses for all journeys performed. The fact that travelling in any particular locality is unusually expensive does not warrant the indiscriminate use of this rule.

NOTE 2.—The Local Government have declared that boats shall be regarded as special means of conveyance for purposes of this rule in the case of all subordinate Government servants of the Forest Department.

NOTE 3.—The Audit Officer will report for the orders of the Local Government any cases in which the concession appears to have been improperly granted.

A Government servant of the fourth grade travelling by steamer.

S. R. 63. A Government servant of the fourth grade, when travelling by steamer, may draw, in addition to mileage allowance, daily allowance at double the rate ordinarily admissible to him: Provided that, whatever be the nature of other journeys which may be combined with the steamer journey, no further daily allowance may be drawn for any day for which this double allowance is drawn.

Section IX.—Journey on Tour.

SUB-SECTION (I).—GENERAL RULES.

S. R. 64. The headquarters of a Government servant shall be in such place as a competent authority may prescribe. **Definition of headquarters.**

NOTE.—A list of places declared to be the headquarters of different Government servants is given in Appendix No. 8.

S. R. 65. A competent authority may define the limits of the sphere of duty of any Government servant. **Limits of sphere of duty.**

NOTE.—A list showing the limits of the sphere of duty of different Government servants is given in Appendix No. 9.

S. R. 66. A Government servant is on tour when absent on duty from his headquarters either within or, with proper sanction, beyond his sphere of duty. For the purposes of this section, a journey to a hill station is not treated as a journey on tour. **Definition of tour.**

NOTE.—A Superintendent or Assistant Superintendent of Police is not held to be on tour when he visits a police-station unless— **(Reserved.)**

(a) he travels not less than twenty miles in one day, or

(b) he is absent from his headquarters for two or more consecutive nights and visits two or more police-stations or posts.

This note applies to casual visits to police-stations. Subject to the rules in sub-section (44) of this section, it does not apply in the case of Government servants employed in investigating a case of dacoity, in looking after a bad character, or in other genuine police work, which, in the opinion of the controlling officer, rendered necessary a visit to a police-station.

S. R. 67. In case of doubt a competent authority may decide whether a particular absence is absence on duty for the purpose of rule 66.

NOTE.—In the following cases the absences have been declared as “absence on duty” for the purpose of rule 66 and the travelling allowance is met from provincial revenues:—

- (1) Official members absent to attend meetings of District and Local Boards.
- (2) Government servants in Eastern Bengal attending meetings of the Senate of the Calcutta University.
- (3) Subordinate Judicial officers temporarily deputed to hold court at another station.
- (4) A Medical Officer summoned under orders of the Surgeon-General to another station for consultation with another Medical Officer in attendance on a Government servant entitled to free medical relief.
- (5) A Government servant deputed under the advice of the Civil Surgeon or any other Government Medical Officer to accompany another Government servant proceeding on leave on medical certificate or to procure further medical advice, when the Civil Surgeon or other Medical Officer considers that it would not be safe for him to make the journey without attendance on the way.
- (6) Presidency Senior Chaplains of the Church of Scotland absent to hold annual conferences.
- (7) A Government servant summoned from one station to another for inspection by the proper authority before selection as candidate for a post, provided the Head of the Department certifies that the journey was undertaken in the interests of the Public Service.
- (8) A Government servant summoned to attend a Chapter of the Star of India or of the Indian Empire.

Restrictions on the duration and frequency of tours.

S. R. 68. A competent authority may impose such restrictions as it may think fit upon the frequency and duration of journeys to be made on tour by any Government servant or class of Government servants.

Government servants who are not entitled to travelling allowance for journeys on tour.

S. R. 69. If a competent authority declares that the pay of a particular Government servant or class of Government servants has been so fixed as to compensate for the cost of all journeys, other than journeys by rail or steamer, within the Government servant's sphere of duty, such a Government servant may draw no travelling allowance for such journeys. He may, however, draw mileage allowance, or, if he be in inferior service, travelling allowance under rule 83, for journeys by rail or steamer. When travelling on duty, with proper sanction, beyond his sphere of duty, he may draw travelling allowance calculated under the ordinary rules for the entire journey, including such part of it as is within his sphere of duty.

NOTE 1.—This rule does not apply to cases when a Government servant in order to shorten his journey to some place within his jurisdiction has to pass through stations, not situated within his jurisdiction.

NOTE 2.—A list of Government servants not entitled to travelling allowance for journeys on tour is given in Appendix No. 10.

NOTE 3.—(1) Head constables and constables on escort duty outside their jurisdiction should be allowed to draw the actual cost of the conveyance of their baggage by road, in addition to the daily allowance admissible to them under the ordinary rules. When the journey beyond jurisdiction exceeds 20 miles by road those Police officers can exchange the daily allowance *plus* actual baggage expenses for mileage allowance, but in that case actual baggage expenses cannot be charged in addition.

(2) Constables when deputed on duty (other than escort beyond their jurisdiction to a place more than 15 miles from headquarters) are entitled to a daily allowance of 4 annas. When the journey performed by road beyond jurisdiction (including such part of it as lies within jurisdiction) exceeds 20 miles on any day, and is to a place more than 15 miles from their headquarters they can draw mileage in lieu of daily allowance.

General principles on which travelling allowance is drawn for journeys on tour.

S. R. 70. The travelling allowance drawn by a Government servant on tour ordinarily takes the shape of either permanent travelling allowance or daily allowance, if either of these is admissible to him. Permanent travelling allowance and daily allowance may, however, in certain circumstances be exchanged for mileage allowance or for the whole or part of the actual cost of travelling. In certain other circumstances actual cost may be drawn in addition to daily allowance or for journeys for which no daily allowance is admissible.

Carriage of tents supplied by Government.

S. R. 71. (a) A competent authority may prescribe the scale of Government tents to be supplied to any Government servant or class of Government servants for office or, if it think fit, for personal use.

(b) When such tents are used by a Government servant on tour for office purposes only, they may be carried at Government expense.

When used partly for office and partly for private purposes, the Government servant must, except as provided in rule 86, pay half the

cost of carriage. When used wholly for private purposes, the Government servant must, except as provided in rule 86, pay the entire cost of carriage.

NOTE 1.—The scale of Government tents by weight (and not by number or size), as given in Appendix 12 should be taken as the scale of Government tents that may be supplied to any Government servant for office or for personal use.

NOTE 2.—Government servants who are allowed tents for their office establishments only are not entitled, when they go into camp without an office establishment, to the use of tents at Government expense, and must therefore bear the whole cost of their carriage.

SUB-SECTION (II).—GOVERNMENT SERVANTS IN RECEIPT OF PERMANENT TRAVELLING ALLOWANCE.

S. R. 72. A permanent travelling allowance is intended to cover the cost of all journeys within the sphere of duty, of the Government servant who draws it, and such Government servant may not draw any other travelling allowance in place of, or in addition to, permanent travelling allowance for such journeys: Provided that—

Actual expenses in addition to, or in exchange for, permanent travelling allowance.

- (1) a Government servant of the fourth grade and any other class of Government servants to which a competent authority may extend this concession may draw, in addition to permanent travelling allowance, single fare for a journey by rail, and

NOTE.—Munshis and clerks attached to Canal Divisions of the Public Works Department on receipt of permanent monthly travelling allowance may draw single fare for a journey by rail in addition.

- (2) a competent authority may, by general or special order, permit a Government servant whose sphere of duty extends beyond the limits of a single district to draw, in addition to permanent travelling allowance, whenever his actual travelling expenses for a duly authorised journey by public conveyance exceed double the amount of his permanent travelling allowance for the period occupied in such journey, the difference between such double permanent travelling allowance and the mileage allowance calculated for the journey.

S. R. 73. When a Government servant in receipt of permanent travelling allowance travels on duty, with proper sanction, beyond his sphere of duty, he may draw mileage allowance as provided in rule 81 for the journey, including such part of it as is within his sphere of duty, and may draw, in addition, permanent travelling allowance for any day of his absence for which he does not draw mileage allowance. This rule does not apply to a Government servant who travels beyond his sphere of duty in the course of a journey from one place within that sphere to another such place.

Mileage allowance in exchange for permanent travelling allowance.

SUB-SECTION, (III).—GOVERNMENT SERVANTS NOT IN RECEIPT OF PERMANENT TRAVELLING ALLOWANCE.

Subdivision 1.—Daily allowance.

S. R. 74. Except where otherwise expressly provided in these rules, a Government servant not in receipt of permanent travelling allowance draws travelling allowance for journeys on tour in the shape of daily allowance.

General rule.

**Drawn during
absence from
headquarters
on duty.**

S. R. 75. Daily allowance may not be drawn except during absence from headquarters on duty. A period of absence from headquarters begins when a Government servant actually leaves his headquarters and ends when he actually returns to the place in which his headquarters are situated, whether he halts there or not.

NOTE.—Daily allowance for halts at the Local Government's permanent headquarters in the plains during the stay of the Local Government at the hills is admissible to a Government servant, whose headquarters are those of the Local Government and who is required to move with the Local Government to the hills (and not simply permitted to accompany the Local Government to the hills), provided he returns to the temporary headquarters at the hills before the Local Government moves down.

**Distance to be
travelled
before daily
allowance is
admissible.**

S. R. 76. Daily allowance may not be drawn for any day on which a Government servant does not reach a point outside a radius of five miles from his headquarters or return to his headquarters from a similar point, even though the distance travelled over may be more than five miles.

NOTE 1.—This rule applies to cases where the officer comes to a halt without reaching a distance exceeding five miles from headquarters. But it does not apply when the journey is continued without interruption to a point more than five miles distant from headquarters, even though at the expiration (midnight) of the day on which he started he has not yet reached such a point.

NOTE 2.—A Government servant who, on completing a road journey of less than 5 miles from headquarters, returns thereto and then commences a journey by rail of more than 5 miles from headquarters on the same day, is not entitled to mileage for the first portion of his journey performed by road.

NOTE 3.—In cases where a village is less in a straight line than 5 miles from headquarters, but more than 5 miles by the only practicable route to it, travelling allowance may be admitted by that route, but the allowance cannot be granted simply on the ground that the journey exceeding 5 miles was performed in visiting several villages none of which was more than 5 miles from headquarters by the ordinary direct route.

NOTE 4.—An allowance of Rs. 2 for each journey from Dum Dum to Cossipore and vice versa is drawn by the Chaplain of Dum Dum for proceeding to the latter place to perform Divine Service.

Halts on tour.

S. R. 77. Subject to the conditions laid down in rules 78 and 79 daily allowance may be drawn during a halt on tour or on a holiday occurring during a tour.

NOTE.—Daily allowance is inadmissible unless the Government servant is actually, and not merely constructively, in camp, and also when he takes casual leave while on tour.

S. R. 78. Daily allowance may not be drawn for a continuous halt of more than ten days at any one place: Provided that a competent authority may grant general or individual exemptions from the operation of this rule, on such conditions as it thinks fit, if it is satisfied—

- (a) that prolonged halts are necessary in the interests of the public service, and
- (b) that such halts necessitate the maintenance of camp equipage or, where no camp equipage is maintained, continue, after the first ten days, to entail extra expense upon the halting Government servant.

NOTE 1.—The list of Government servants or classes of Government servants exempted from the operation of the 10 days rule is given in Appendix No. 11.

NOTE 2.—A separate sanction is not necessary for halts of more than 10 days, if the travelling allowance bill containing the halting allowance is countersigned by a controlling officer competent to sanction the exemption.

S. R. 79. For the purpose of rules 76, 77 and 78 :—

- (a) after a continuous halt of ten days' duration, the halting place shall be regarded as the Government servant's temporary headquarters.
- (b) a halt is continuous unless terminated by an absence on duty at a distance from the halting place exceeding five miles for a period including not less than three nights, both conditions to be fulfilled.
- (c) in calculating the duration of a halt, any day on which the Government servant travels or halts at a distance from the halting place exceeding five miles shall be excluded. On such a day the Government servant may draw daily allowance or exchange it for mileage allowance if admissible.

Subdivision 2.—Mileage allowance and actual expenses in place of, or in addition to, daily allowance.

S. R. 80. A competent authority may, by general or special order and on such condition as it thinks fit to impose, permit any Government servant or class of Government servants to draw mileage allowance instead of daily allowance for the whole period of any absence from headquarters, if it considers that the nature of the Government servant's duty is such that daily allowance is not sufficient to cover his travelling expenses.

Exchange of daily allowance for mileage allowance during the whole period of a tour.

S. R. 81. (a) Subject to any further conditions which a competent authority may, by general or special order impose, a Government servant in superior service may exchange his daily allowance for mileage allowance on any day on which—

Exchange of daily allowance for mileage allowance on particular journeys.

- (i) he travels by railway or steamer or both, or
- (ii) he travels more than 20 miles by road :

Provided that, if a continuous journey extends over more than one day, the exchange must be made for all such days and not for a part only of them.

NOTE 1.—Short journeys within a radius of five miles from headquarters may not be added to other journeys, when calculating the distance travelled by road or the amount of mileage allowance admissible for road journeys.

NOTE 2.—For the purpose of exchanging daily allowance for mileage under this rule, it is not necessary that the 20 miles minimum should be travelled in one calendar day, provided that the absence from headquarters does not exceed 24 hours. In other cases each calendar day should be considered separately.

NOTE 3.—When daily allowance is exchanged for road mileage under this rule, it is necessary to state not only the date but also the hour at which each separate road journey commences. In the case of road journeys extending over more than one day, the number of miles travelled each day should be stated.

(b) When a journey by road is combined with a journey by railway or steamer, mileage allowance may be drawn on account of such combined journey, but mileage in respect of the road journey will be limited to the amount of daily allowance unless the journey by road exceeds 20 miles, in which case an amount equivalent to daily

allowance and mileage allowance for the excess over 20 miles may be drawn in accordance with (c) of this rule. The mileage allowance for the first 20 miles or part thereof may be increased by 50 per cent., on a certificate by the controlling officer that sufficient camp equipment was taken to justify the increased rate, but the mileage in respect of this part of the road journey is in this case also limited to the amount of daily allowance.

(c) When a journey is by road, an amount equivalent to the daily allowance may be drawn for the first 20 miles and mileage allowance for the excess over 20 miles of any journey, provided that only half mileage may be drawn for any excess over 30 miles.

(d) Unless such journey by road be a journey to or from the Government servant's headquarters, mileage allowance shall be calculated on the distance actually travelled, without regard to the points fixed by or under rule 38.

Exception.—As a partial exception to rule 81 in the case of halts on tour, the daily allowance ordinarily admissible under these rules may be drawn in addition to the mileage allowance, on the day of arrival at the place of the halt, if the Government servant arrives before noon and on the day of departure if he leaves after noon, provided that, when the day of arrival and the day of departure are consecutive, daily allowance can be drawn for one day only on those conditions.

NOTE.—The Auditor General has issued the following audit instructions on the above :—

The proviso "When the day of arrival and the day of departure are consecutive daily allowance can be drawn for one day only", applies not only in cases when the date of departure falls on the day succeeding the date of arrival but also in cases when the date of arrival at one station is the day following the date of departure from another station. (Audit Instruction Circular No. 9, dated the 15th November 1923.)

S. R. 82. Subject to any conditions which a competent authority may, by general or special order impose, a non-gazetted ministerial or a menial Government servant may, for any day on which he travels by public or hired conveyance under a certificate from the head of his office that he is required to do so, exchange daily allowance for mileage allowance.

NOTE 1.—If a Collector certifies that a conveyance in use in his district falls under the definition of a "public conveyance" travelling allowance may be admitted on his certificate. Doubtful cases should be referred to the Local Government.

NOTE 2.—The kind of "public conveyance" used should always be stated in the certificate required under this rule.

NOTE 3.—The term "hired conveyance" applies to bullock carts, where such are ordinary means of conveyance.

S. R. 83. The following conditions are applicable to a Government servant in inferior service, except as provided in the Darjeeling Allowance Code :—

- (a) For a journey by railway, he may draw mileage allowance in addition to daily allowance.
- (b) For a journey by steamer, he may draw travelling allowance under rule 63.
- (c) For a journey by road, he may exchange daily allowance for mileage allowance if the journey exceeds 20 miles or the condition of rule 82 is fulfilled.

Travelling allowance admissible to a Government servant in inferior service.

- (d) For a journey by road combined with a journey by railway or by steamer, he may, except as provided in rule 82, draw mileage allowance for the road journey in addition to the allowances admissible under clause (a) or (b) of this rule, but such mileage allowance is limited to the amount of daily allowance unless the journey by road exceeds 20 miles.

NOTE.—When an inferior Government servant makes railway journeys on two successive days, involving an absence of less than 24 hours from headquarters, he should receive single railway fare for each journey *plus* one day's daily allowance.

S. R. 84. A competent authority may permit any Government servant, who is compelled by a sudden emergency to leave his camp and travel rapidly on duty to a place more than 20 miles distant, to draw, in addition to mileage allowance, the actual cost of maintaining his camp, whether the camp be moved or not; provided that the amount of actual cost drawn shall not exceed the daily allowance of his grade.

Actual expenses of maintaining camp during a sudden journey away from it.

S. R. 85. A Government servant entitled to daily allowance, whose sphere of duty extends over a whole province, may, when making a journey of more than 100 miles to the first or from the last camp of an extensive tour, recover, in lieu of the daily allowance admissible for the days occupied by such journey, the whole necessary cost of the journey, including the cost of transportation of camp equipment and of servants, horses, motor-cars, motor-cycles, bicycles and private baggage on such scale as a competent authority may prescribe.

Actual expenses on first and last journey of an extensive tour.

S. R. 86. (a) When a competent authority is satisfied that it is in the interests of the public service that a particular Government servant on tour should send his horses, motor-cars, motor-cycles, bicycles, tent or camp equipment by railway or steamer, or by country craft when no steamer service exist capable of conveying the goods or animals, or when such means of carriage is cheaper or more expeditious, it may, by special order in each case, permit him to recover, in addition to mileage allowance or daily allowance or both, the actual cost or part of the actual cost of transporting them.

Actual expenses of conveying camp equipment, etc.

NOTE 1.—In the case of a motor-car, the cost of transporting a chauffeur or cleaner, and for each horse the cost of transporting one syce and one grass-cutter may be drawn.

NOTE 2.—The term "motor-cycle" in this rule includes a side-car.

NOTE 3.—The application of this rule is restricted to journeys on tour.

NOTE 4.—Cost of carriage of bicycles by rail is admissible under this rule to officers on tour within a district when it is necessary for the officer to arrive at his destination ready equipped for a further journey.

NOTE 5.—This rule refers primarily to private motor-cars. The cost of carriage of Government motor-cars is contingent expenditure.

NOTE 6.—The object of the rule is to meet an *extraordinary* case in which a Government servant is obliged in the discharge of his official duties to make use of his horses, motor-car, motor-cycle, bicycle, or camp equipment in one place immediately or very shortly after having had to use them in the public service in another place and who is therefore in the exigencies of the service compelled to convey them by rail or steamer or country craft.

NOTE 7.—The expression "in the interests of the public service" includes the economy of a Government servant's time, and the concession in the rule may be allowed in cases in which the conveyance of horses, motor-car, motor-cycle, bicycle or camp equipment by rail or steamer will serve the interest of the public service by enabling a Government servant to do more work than he otherwise would in a given time.

(b) A competent authority may, by general or special order, prescribe limitations on the weight of camp equipment and the number of conveyances and animals to be carried at Government expense under clause (a) of this rule by a particular Government servant or class of Government servants.

NOTE.—A list of limitations prescribed on the weight of camp equipment and number of conveyances and animals is given in Appendix No. 12.

Government servants whose duties require them to travel constantly by railway.

S. R. 87. (a) The following provisions are applicable to—

- (b) officers and men of the railway police;
- (ii) any other Government servant or class of Government servants, whose duties involve constant travelling by railway, to whom a competent authority may declare them to be applicable.

(b) When such a Government servant makes a journey by railway on tour—

- (i) he is entitled either to a free pass under the free pass rules of the railway or to the fares for himself and the servants and baggage accompanying him which a free pass would cover.
- (ii) he may draw daily allowance for any day on which he is absent from his headquarters for more than eight consecutive hours and travels more than 5 miles from his headquarters.
- (iii) he may not exchange for mileage allowance the allowances admissible under sub-clauses (i) and (ii) of this rule.
- (iv) if he combines with a railway journey a journey by steamer or road, he may, if he travels to a place distant at least five miles from the point where he leaves the railway or returns to the railway from a place similarly distant, draw mileage allowance for the journey by steamer or road, in addition to, daily allowance, if any, admissible under this rule or under rule 63: Provided that the time spent on the journey by steamer or road shall be deducted in calculating the duration of his absence from his headquarters.

Subdivision 3.—Travelling allowance admissible for journeys and halts within five miles of headquarters.

Conveyance hire.

S. R. 88. A competent authority may, by general or special order, permit any Government servant or class of Government servants to draw the actual cost of hiring a conveyance on a journey for which no travelling allowance is admissible under these rules.

NOTE 1.—When conveyance hire is granted under this rule, daily allowances under rule 77 is inadmissible.

NOTE 2.—A list of special cases in which conveyance hire has been granted is given in Appendix No. 13.

Ferry charges, tolls and railway fare.

S. R. 89. A Government servant travelling on duty within five miles of his headquarters is entitled to recover the actual amounts which he may spend in payment of ferry and other tolls and fares for journeys by railway or other public conveyance.

NOTE.—If an officer while halting at headquarters and drawing allowance under rule 90 makes a journey of five miles or less, returning the same day to headquarters, he may be granted allowances under both this rule and rule 90 subject to the restriction that the total sum received shall not exceed the daily allowance.

S. R. 90. On the following conditions and any other conditions which it may think fit to impose, a competent authority may, by general or special order, permit any Government servant or class of Government servants to recover the actual cost of maintaining camp equipage during a halt at headquarters or within five miles of headquarters or during the interval between the Government servant's departure from, or arrival at, headquarters and that of his camp equipage:—

Actual expenses of maintaining camp equipage during a halt at headquarters.

- (a) The amount drawn, together with any amounts recovered under rule 89 should not exceed the daily allowance of his grade.
- (b) The period of the halt or interval for which it is granted should not exceed ten days. An absence on duty from the halting place for less than three nights should not be treated as interrupting the halt or interval.

NOTE.—The “ten days” mentioned in clause (b) of this rule should be held to refer to the first ten days after the return of a Government servant from camp.

- (c) The Government servant must certify that he has maintained the whole or part of his camp equipage during the halt or interval and that the expense of maintenance has not been less than the amount drawn. In the case of a non-gazetted or a menial servant, the head of the office must certify that such maintenance was necessary.

NOTE.—The actual expense of keeping up camp equipage during halts at headquarters is the difference between the actual outlay incurred by an officer in maintaining the equipage during that time and the outlay he would incur if he could discharge it and had nothing to do with it till he wanted it again. Interest on capital outlay, and charges on account of depreciation and repairs as well as the upkeep of horses, palkies, etc., used only for the conveyance of the officer on his marches, and the cost of maintaining private conveyances of any sort cannot be reckoned in “actual expenses” of keeping up camp equipage.

SUB-SECTION (IV).—SPECIAL RULES FOR HIGH OFFICIALS.

S. R. 91. With the exception of the officers of his personal staff, the Governor of Bengal controls his own travelling expenses and those of his household. They are paid out of the contract allowance for household charges.

S. R. 92. When a Government servant for whom special railway accommodation is provided or who is entitled, under these rules, to reserve railway accommodation by requisition, travels in such reserved accommodation on tour:—

High officials travelling by reserved railway accommodation.

- (a) The entire cost of haulage is borne by Government.
- (b) Unless it be otherwise expressly provided in this sub-section—

- (i) the Government servant must pay the usual fares for any persons travelling with him in the reserved accommodation and, if Government pays full tariff rates for the reserved accommodation, such fares must be credited to Government;

- (ii) If the Government servant desires additional accommodation for his staff or luggage, he must make arrangements with the railway administration for the provision of such accommodation, the haulage and other charges being met at his expense or, in the case of His Excellency the Governor, from his contract allowance;
- (iii) unless otherwise specifically provided in these rules, the Government servant is entitled to draw no travelling allowance for the journey unless he be entitled to permanent travelling allowance.

NOTE.—For the rules regulating the travelling allowance of the Member of the Board of Revenue and High Court Judges, see rules 162 and 163.

(Reserved.)

S. R. 93. A member of the Executive Council of the Governor, when travelling on tour, may recover the cost of carrying a motor-car under the conditions specified in rule 86: Provided that the local Government is satisfied that the car has been employed, for all practical purposes, only as a means of performing, in the public interest, a journey off the line of railway. In cases where the presence of his car with the member has, apart from the advantages to Government of the particular tour or journey, saved him expense in hiring a conveyance or served his personal convenience to an appreciable extent he must pay one-fifth of the cost of carriage.

(Reserved.)

S. R. 94. Members of the Executive Council of the Governor, and the President of the Bengal Legislative Council, when travelling by rail are entitled to a reserved first class carriage, to railway fares actually paid for not more than ten personal servants at lowest class rates, and to the conveyance of all their personal luggage at the public expense, whether taken in the luggage van of the train to which the reserved carriage is attached or sent by any other trains.

When travelling by road or steamer they are entitled to charge to Government their personal *bonâ-fide* travelling expenses appending to their bills a certificate as follows:—

“ I certify that I have actually paid the amount of this bill and that it does not include any charges for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows.”

NOTE 1.—Stores taken for consumption on tour are treated as personal luggage.
NOTE 2.—See also rule 93.

(Reserved.)

S. R. 95. A member of the Executive Council of the Governor may draw daily allowance at the rate of Rs. 10 for a halt on tour in addition to the privileges granted by rule 94, and if for any journey by rail, road or steamer he chooses to forego those privileges, he may draw for that journey the mileage allowance admissible to an officer of the first grade.

Ministers.

S. R. 96. A minister, when travelling on tour, may recover the cost of carrying a motor-car under the conditions specified in rule 86: Provided that the local Government is satisfied that the car has been employed for all practical purposes, only as a means of performing, in the public interest, a journey off the line of railway. In

cases where the presence of his car with the minister has, apart from (Transferred.) the advantages to Government of the particular tour or journey, saved him expense in hiring a conveyance or served his personal convenience to an appreciable extent, he must pay one-fifth of the cost of carriage.

S. R. 97. (a) Ministers when travelling by rail are entitled to a reserved first class carriage, to railway fares actually paid for not more than ten personal servants at lowest class rates, and to the conveyance of all their personal luggage at the public expense, whether taken in the luggage-van of the train to which the reserved carriage is attached or sent by any other trains.

(b) They must pay the usual fares for any persons travelling, (Transferred.) with them in the reserved accommodation, and if Government pays full tariff rates for the reserved accommodation, such fares must be credited to Government.

(c) When travelling by road or steamer they are entitled to charge to Government their personal *bond-fide* travelling expenses, according to their bills, a certificate as follows:—

“I certify that I have actually paid the amount of this bill and that it does not include any charges for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows.”

NOTE 1.—Stores taken for consumption on tour are treated as personal luggage.

NOTE 2.—See also rule 96.

S. R. 98. A minister may draw daily allowance at the rate of (Transferred.) Rs. 10, for a halt on tour in addition to the privileges granted by rule 97 and if for any journey by rail, road or steamer he chooses to forego those privileges he may draw for that journey the mileage allowance admissible to an officer of the first grade.

S. R. 99. The following rules regulate the allowances of the members of the Bengal Legislative Council, who are required to leave their official headquarters or usual places of residence for the purpose of attending meetings of the Council or transacting business connected with their duties as members of the Council:—

Members of
the Bengal
Legislative
Council.

RULES.

(1) In these rules—

- (i) “Session” means the whole period of a legislative session from the time when the Council is assembled to the time when it is prorogued.
- (ii) “Meeting” means a meeting of the Council, or of a committee during the session or out of the session (or a meeting to which a member is summoned out of session for the transaction of business connected with his duties as a member of Council).
- (iii) “Usual place of residence” means the place where a member ordinarily resides for at least six months in the year.

(w) “Mufassal member” means a member whose usual place of residence is outside a radius of 25 miles from Government House or in the case of a meeting held outside Calcutta, 25 miles from the place at which such meeting is held.

(2) The following are the different kinds of allowances which may be drawn in different circumstances by a member of the Legislative Council:—

(a) Mileage allowance which includes—

(i) Mileage allowance for journeys by road. The rate admissible is eight annas per mile;

(ii) Mileage allowance for journeys by railway or by sea or river in a steamer. The rate admissible is one and three-quarter fares of the class by which the member actually travels, except in the case of journeys under 75 miles and an absence from home of more than 24 hours, both conditions to be fulfilled, when double fare will be allowed.

(b) Daily allowance, Rs. 10.

(3) No member may draw mileage allowance and daily allowance for the same day.

(4) No member who arrives at and leaves the place of meeting on the same day may draw daily allowance for that day.

(5) No member may draw daily allowance for any day after—

(a) the close of the session;

(b) the completion of the business for which a member is summoned out of session.

(6) No member whose usual place of residence is within a radius of five miles from Government House and no member who ordinarily carries on his professional business within a radius of five miles from Government House may draw mileage allowance or daily allowance for attending meetings in Calcutta.

(7) No member who usually resides or has his official headquarters within a radius of 25 miles from Government House may draw daily allowance for attending meetings in Calcutta.

(8) Subject to rules (3) to (7), a member who has to leave his official headquarters or usual place of residence for the purpose of attending meetings or transacting business connected with his duties as a member of Council may draw mileage allowance and daily allowance.

NOTE.—Mileage allowance to a member will be paid to and from his usual place of residence, if within the province, or to and from the headquarters of his constituency if his usual place of residence is outside the province.

(9) If a member attends the first meeting of a session of the Council and stays throughout the session, he may draw the daily allowance for the whole session:

Provided that such member has attended all meetings of the Council during such session, or in the case of absence from any meeting, has explained such absence to the satisfaction of the President.

(10) If a member does not arrive or leave on the day of the meeting, he will be considered to arrive on the day before the meeting and to leave the day after the meeting even if, as a matter of fact, he arrives some days before or leaves some days after. He will, therefore, be entitled to mileage allowance for the day before and the day after the meeting, and to daily allowance for the day of the meeting only, and not for any other days during which he may reside in the place where the Council or committee is sitting, before or after the meeting. •

(11) (a) In the case of adjournments or intervals between meetings of seven days or less a mufassal member who stays at the place of meeting for the intervening period may draw daily allowance for that period. A mufassal member who returns to his usual place of residence may draw mileage allowance, but the amount drawn shall in no case exceed the amount which would have been admissible if he had elected to stay at the meeting place, and daily allowance.

(b) In the case of adjournments or intervals between meetings of more than seven days a mufassal member may return to his usual place of residence in the intervening period and may charge mileage allowance, but in this event no daily allowance for the intervening period shall be admissible to him.

(12) Where a meeting lasts over the week-end mileage allowance is not admissible to a member who leaves the place of meeting during the week-end, but he may draw daily allowance for the week-end provided he is present at the opening meeting after the week-end; otherwise he may draw daily allowance only for the days on which he actually attended meetings.

(13) In the case of protracted sittings of three weeks' duration or over, a mufassal member may return to his usual place of residence once during that period at the public expense, and in such case he may draw one single fare of the class by which he actually travelled and mileage allowance by road at eight annas per mile. But any member who stays away from the place of meeting for such a length of time as necessitates his being absent for more than six consecutive meetings shall forfeit his right to this concession.

S. R. 100. A member of the Bengal Legislative Council being a Government servant in receipt of permanent travelling allowance, will not be entitled to the allowances specified in rule 99 unless he leaves his sphere of duty to attend the Council or to transact business in connection with his duties as a member. When he so leaves his sphere of duty, he may draw travelling allowance as prescribed in rule 99; provided that such sum as may represent the amount of his permanent travelling allowance for the period of absence, calculated at a proportionate daily rate, shall be deducted from his mileage and daily allowance. (Reserved.)

S. R. 101. Except where otherwise expressly provided in these rules, the amount of luggage which may be transported, free of cost, by a Government servant travelling in reserved accommodation is the amount covered by the number of tickets which a member of the public would have to purchase in order to reserve such accommodation. Amount of luggage admissible.

**Section X.—Journey of a newly-appointed Government servant
to join his first post.**

General rule. **S. R. 102.** Except as otherwise provided in this section, travelling allowance is not admissible to any person for the journey to join his first post in Government service.

Exception. **S. R. 103.** A competent authority may, by general or special order, permit any person, whether appointed to a temporary or a permanent post, to draw travelling allowance for the journey to join his first post in Government service.

NOTE 1.—The following concessions are admissible for the journey of the families, including children, one wife and one relative of the men of the Military Police belonging to races foreign to Dacca and recruited outside the province, if quarters are available in the Police lines, subject to the condition that the percentages mentioned in clauses (b) and (c) below must be reckoned on the number of foreigners only :—

- (Reserved.)
- (a) *Native officers.*—3rd class passage by rail, deck passage by steamer on payment of one-third of the passage-money or fare.
 - (b) *20 per cent. of the Non-commissioned officers of each Battalion.*—3rd class passage by rail, deck passage by steamer, free of charge.
 - (c) *5 per cent. of the Privates of each Battalion.*—3rd class passage by rail or deck passage by steamer, free of charge.
 - (d) Return passage to their homes of the families of such men dying in Dacca or other places where the force is stationed at the time.

NOTE 2.—A list of cases in which the grant of travelling allowance has been permitted by general or special order is given in Appendix No. 14.

Concession to persons re-employed in Government service. **S. R. 104.** When a pensioner, or a Government servant who has been thrown out of employment owing to a reduction of establishment or the abolition of his post, is reappointed to Government service, the authority which sanctions his reappointment may permit him to draw travelling allowance for so much of his journey to join his new post as falls within India.

Concession to persons joining by sea. **S. R. 105.** When a person is appointed to a post in Government service which he cannot join except by sea, a competent authority may grant him a free passage by sea from one part of India to another such part.

NOTE.—The condition in this rule “which he cannot join except by sea” should be understood to mean “which he cannot join except by sea, without resorting to extraordinary routes and unusual mode of travelling”.

Concession to members of the Executive Council of the Governor. **S. R. 106.** When a person not already in Government service is appointed to be a member of the Executive Council of the Governor, he is entitled, when travelling by railway to join his post, to the concession described in rule 114.

(Reserved.) **Concession to a Minister.** **S. R. 107.** When a person is appointed to be a Minister he is entitled, when travelling by railway to join his post, to the concession described in rule 115.

(Transferred.) **Concession to persons appointed in Europe.** **S. R. 108.** Any person appointed, while resident in Europe, by the Secretary of State in Council to Government service in India, other than a person whose case is covered by rules made by the Secretary of State in Council under sections 85 and 104 of the Act, may

draw mileage allowance for the journey to join his first post from any port in India at which, with the permission of the Secretary of State, he may disembark.

S. R. 109. Travelling allowance under rules 103 and 104 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.

Rates of travelling allowance under this section.

S. R. 110. When mileage allowance is drawn under rules 103, 104 and 108 the rate admissible is that of the grade to which the Government servant will belong after joining his post.

Section XI.—Journeys on transfer.

S. R. 111. Travelling allowance may not be drawn under this section by a Government servant on transfer from one station to another unless he is transferred for the public convenience and is entitled to pay during the period occupied by the journey. A transfer at his own request or in consequence of misconduct should not be treated as a transfer for the public convenience unless the authority sanctioning the transfer, for special reasons which should be recorded, otherwise direct.

General conditions of admissibility.

NOTE.—The following Audit Instruction has been issued by the Auditor General: "When a Government servant is transferred otherwise than for the public convenience, a copy of the order of transfer should be sent to the Audit Officer of the Circle of Audit in which he is serving, with an endorsement stating the reasons for the transfer. In the absence of such an endorsement the Audit Officer shall assume that the Government servant has been transferred for the public convenience. In the case of non-gazetted servants a certificate from the head of the office will be accepted in lieu of the copy of the order of transfer."

S. R. 112. A Government servant may draw mileage allowance for a journey on transfer, including transfer from military to civil employ.

General rule.

S. R. 113. (a) Unless in any case it be otherwise expressly provided in these rules or in rules made under other sections of the Act, a Government servant in superior service is entitled, for a journey on transfer, to the following concessions:—

Special concessions to Government servants in superior service.

I.—For journeys by rail or steamer.

- (i) He may draw one extra fare of the class to which his grade entitles him.
- (ii) He may draw one extra fare for each adult member of his family who accompanies him and for whom full fare is actually paid and one-half fare for each child for whom such fare is actually paid.
- (iii) He may draw the actual cost of transporting by goods train, steamer or other craft personal effects up to the following maxima:—

Grade of Government servant.	travelling alone.	If accompanied by family.
	Mds.	Mds. °
First	40	60
Second	20	30
Third	12	15

Provided that a competent authority may prescribe lower maxima in the case of any specified class of Government servants.

NOTE 1.—If a Government servant carries his personal effects by passenger, instead of by goods train, he may draw the actual cost of carriage up to a limit of the amount which would have been admissible had he taken the maximum number of maunds by goods train.

NOTE 2.—If a Government servant carries his personal effects by road between stations connected by rail or steamer he may draw actual expenses up to the limit of goods train or steamer freight.

(iv) Provided that—

- (1) the distance travelled exceeds 80 miles;
- (2) the Government servant is travelling to join a post in which the possession of a conveyance or horse is advantageous from the point of view of his efficiency; and
- (3) conveyances or horses are actually carried by rail, steamer or other craft;—

he may draw the actual cost of transporting at owner's risk conveyances and horses on the following scale:—

Grade of Government servant.				Scale allowed.
First	..	..	..	Two horses, and a carriage or motor-car or motor-cycle.
Second	..	..	..	One horse, and a carriage or motor-cycle.
Third	..	..	..	One horse or a motor cycle or ordinary cycle.

NOTE 1.—In the case of a motor-car the cost of transporting a chauffeur or cleaner, and for each horse the cost of transporting one syce and one grass-cutter may be drawn.

NOTE 2.—A motor-car may be deemed a part of personal effects under clause (iii), when a Government servant is not entitled to its free transport in addition to personal effects under clause (iv).

Exception.—A Government servant who travels by a Government steamer is not entitled, for the journey by steamer, either to mileage allowance under rule 112 or to the concessions allowed by this clause. He is entitled to free transport of himself, his family, servants and their *bona-fide* personal effects, and of conveyances and horses subject to the limits prescribed in sub-clause (iv); and may draw in addition the daily allowance of his grade.

II.—For a journey by road.

- (i) He may draw one extra mileage allowance at the rate to which his grade entitles him.
- (ii) He may draw a second extra mileage allowance if two members of his family accompany him and a third if more than two members accompany him.

- (iii) For the transportation of personal effects within the limits prescribed in sub-clause I (iii) of this clause, he may draw mileage allowance at the rate of one anna per maund per mile for conveying goods by road, boat or steam launch.

(b). The following explanations are given of terms employed in clause (a) of this rule:—

- (i) The term “personal effects” is not subject to definition, but the controlling officer must satisfy himself that a claim to reimbursement on account of their transportation is reasonable.
- (ii) The term “motor-cycle” includes a side-car.
- (iii) A member of a Government servant’s family who follows him within six months from the date of his transfer or precedes him by not more than one month may be treated as accompanying him. If such member travels to the new station from a place other than the Government servant’s old station, the Government servant may draw either the actual fare for the journey made or the fare admissible for the journey from the old to the new station, whichever is less.

(c) Tents supplied by Government are transported at the expense of Government. Tents purchased and maintained by a Government servant himself may be transported at the expense of Government: provided that they do not exceed a scale to be prescribed in this behalf by a competent authority as suitable to a particular Government servant or class of Government servants. If they exceed this scale, the excess may be treated as a part of personal effects.

(d) A Government servant who claims additional travelling allowance on the ground that members of his family accompanied him on transfer must support his claim by a certificate showing the numbers and relationship of the said members.

(e) A Government servant claiming the cost of transporting personal effects, a conveyance or a horse, must support his claim by a certificate that the actual expense incurred was not less than the sum claimed. Such a certificate must give details of the conveyances or horses transported.

NOTE.—Police Officers below the rank of Assistant Superintendents transferred from one station to another in the same district are not entitled to travelling allowance except for journeys by rail and steamer in which case they are also entitled according to their class to the further concessions described in I (iii) and (iv) above. For journeys by road they may be allowed the actual cost of conveyance of their necessary baggage.

S. R. 114. When a Government servant, appointed to be a member of the Executive Council of the Governor or a Judge of the High Court, travels by railway to join his post, he may, at his option, travel on the following terms, in lieu of drawing travelling allowance under the ordinary rules governing a journey on transfer:—

- (a) Any accommodation which he will be entitled, under section XXI of these rules, to reserve by requisition after joining his post will, if practicable, be placed at his disposal.

Transfer to join the post of member of the Executive Council of the Governor or a Judge of the High Court. (Reserved.)

- (b) The charge for haulage of the reserved accommodation will be paid by Government.
- (c) The Government servant must pay to Government the fare which he would have paid if no accommodation had been reserved, and must, in addition, pay in cash to the station master of the station from which the journey commences full fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When Government pays full tariff rates for the accommodation, all such fares will be credited to Government.

NOTE.—A Judge of the High Court, when proceeding on or returning from gazetted leave or long vacation spent in Europe or the Colonies may travel on the terms laid down in the above rule.

Journey to join the post of a minister. (Transferred.)

S. R. 115. When a minister, after his appointment as such, travels by railway to join his post, he may, at his option, travel on the following terms, in lieu of drawing travelling allowance under the ordinary rules governing a journey on transfer:—

- (a) Any accommodation which he will be entitled, under section XXI of these rules, to reserve by requisition after joining his post will, if practicable, be placed at his disposal.
- (b) The charge for haulage of the reserved accommodation will be paid by Government.
- (c) He must pay to Government the fare which he would have paid if no accommodation had been reserved, and must, in addition, pay in cash to the station master of the station from which the journey commences full fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When Government pays full tariff rates for the accommodation, all such fares will be credited to Government.

Government servants whose duties involve constant travelling by railway.

S. R. 116. The Government servants specified in rule 87 may draw travelling allowance under that rule for journeys on transfer within the limits of the railway to which they are attached, and are entitled, in addition, to a free pass or fares for their families: Provided that they must not draw daily allowance for halts in the course of the journey unless such halts are made in connection with their duty. When transferred from one railway to another, they are entitled to travelling allowance under rules 111 to 113.

Concession to jail warders and police constables. (Reserved.)

S. R. 117. Jail warders in inferior service, when transferred from one jail to another, and police constables in inferior service, when transferred from one district to another, are entitled, if accompanied by their families, to mileage allowance at the following special rates:—

- (a) For a journey by railway or steamer, double fare of the lowest class.
- (b) For a journey by road, two annas for each mile travelled.
- (c) For a journey by boat, one anna for each mile travelled.

- (d) Men of the Military Police in inferior service, when proceeding to, or returning from outpost duty are, allowed free passage by rail, river and road for their families. In the case of journeys by road, where carts cannot be used the cost of one cooly for wife and one cooly for children may be allowed.

S. R. 118. The peons of the combined Excise and Salt Department when transferred from one district to another, are entitled, if accompanied by their families, to mileage allowance at the following special rates:—

Concession to peons of the combined Excise and Salt Department. (Transferred.)

- (a) For a journey by railway or steamer, double fare of the lowest class.
 (b) For a journey road, two annas for each mile travelled.
 (c) For a journey by boat, one anna for each mile travelled.

S. R. 119. Except as provided in rules 117 and 118 a Government servant in inferior service is entitled, on transfer, to draw travelling allowance as for a journey on tour.

Inferior servants.

NOTE.—A Government servant in inferior service should not be transferred save in exceptional cases in which there may be special reasons for transfer.

S. R. 120. A Government servant appointed to a new post while in transit from one post to another, is entitled to draw travelling allowance under this section for so much of the journey on transfer as he has accomplished when he receives the fresh orders and for the journey from the place at which he receives such orders to his new station.

Government servant appointed to a new post while in transit.

S. R. 121. A Government servant who takes leave on average pay not exceeding four months, after he has given over charge of his old post and before he has taken charge of his new post, is entitled, whether the order of transfer is received before or after the commencement of his leave, to travelling allowance under this section.

Government servant taking short leave before joining a new post.

S. R. 122. A Government servant who takes leave exceeding four months while in transit from one post to another, may draw travelling allowance under rule 113 (a), I (i) and (ii) and II (i) and (ii) for so much of the journey to join the new post as he has accomplished before the order, granting his leave is received, in addition, to any allowance admissible under rule 123.

Government servant taking long leave while in transit.

S. R. 123. When on return from leave exceeding four months a Government servant is posted to a station other than that at which he was posted when he went on leave, the controlling officer may permit him to recover the travelling allowance admissible, under sub-clauses I (iii) and (iv) and II (iii) of rule 113 (a), for a journey from his old to his new station.

Government servant posted to a new station on return from long leave.

Section XII.—Journey to a hill station.

S. R. 124. Special rules, which are not included in these rules, govern the grant of travelling allowance to Government servants moving to hill stations with the headquarters of a Government.

Journey made under the orders of superior authority.

S. R. 125. A Government servant, other than a Government servant moving with the headquarters of a Government, who travels on duty to a hill station within his sphere of duty, or is required by the orders of a superior authority to travel to a hill station on duty, may draw travelling allowance during his absence as for a journey on tour. Such a Government servant will, however, forfeit all claim to travelling allowance for the journey and halt, other than permanent travelling allowance, if he prolongs his stay at the hill station beyond a period of ten days or the period necessary for the performance of the duty on which the journey is made, whichever is less: Provided that a competent authority may preserve the Government servant's claim to travelling allowance by—

- (a) sanctioning a halt in excess of ten days, or
- (b) officially intimating that his presence was required on duty throughout the period or that he was permitted to extend his stay during holidays immediately following his period of duty.

A Government servant performing his duties at a hill station for his own convenience.

S. R. 126. When a Government servant is permitted for his own convenience to perform his duties at a hill station, he is not entitled to daily allowance or mileage allowance for the journey to or from such station or for the period during which he halts at it.

Section XIII.—Journey to attend an examination.

General rules.

S. R. 127. (I) A Government servant is entitled to draw travelling allowance for the journey to and from the place at which he appears for an examination of any of the following kinds:—

- (a) An obligatory departmental or language examination.
- (b) An examination held under any rules in force in the vernacular language of a frontier, or hill tribe.
- (c) In the case of a military officer in civil employ, an examination for promotion in military rank.
- (d) In the case of a civil assistant surgeon or sub-assistant surgeon, an examination designed to test his fitness to rise above an efficiency bar in a time-scale.

(II) A Government servant is entitled to draw daily allowance for the days on which he appears at an obligatory departmental examination and any intervening days:

Provided that—

- (1) travelling and daily allowance shall not be drawn under this rule more than twice for any particular examination or standard of examination; and

(2) a competent authority may disallow travelling and daily allowance under this rule to any candidate who in its opinion—

- (i) has culpably neglected the duty of preparing himself for an obligatory examination, or
- (ii) does not display a reasonable standard of proficiency in an examination which is not obligatory.

NOTE.—The travelling allowance for journeys to attend an obligatory examination, is admitted upon a certificate that the Government servant has not previously drawn travelling allowance twice for the same standard.

S. R. 128. A Government servant who obtains a reward for proficiency in an oriental language or who for the first time obtains a degree of honour in any language is entitled to draw mileage allowance for the journey to and from the place of examination.

Government servants obtaining a reward for proficiency in an oriental language.

S. R. 129. A competent authority may permit a Government servant to draw travelling allowance for the journey to and from the place at which he appears for any examination other than those specified in rules 127 and 128.

Special concessions.

S. R. 130. Travelling allowance under rules 127 and 129 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys except for halts to attend the obligatory departmental examinations.

Rates of travelling allowance under this section.

Section XIV.—Journey when proceeding on or returning from leave.

S. R. 131. Except as otherwise provided in these rules, a Government servant is not entitled to any travelling allowance for a journey made during leave or while proceeding on or returning from leave.

General rule.

NOTE.—With a view to enable Government servants of non-Asiatic domicile to purchase passages for themselves and their families, the Government of India decided to grant advances recoverable in suitable instalments. The rules laid down by them in regulating the grant of these advances are given in Appendix No. 15.

S. R. 132. A competent authority may, for special reasons which should be recorded, permit any Government servant to draw, for a journey of the kind specified in rule 131, travelling allowance as for a journey on tour.

Exception.

S. R. 133. When a member of the Executive Council of the Governor or a judge of the High Court travels by railway when proceeding on or returning from leave, he may travel on the terms described in rule 114.

High officials.
(Reserved.)

NOTE.—The long vacation allowed to the judges of the High Court may be considered as leave in the case of judges proceeding to or returning from Europe or the Colonies.

S. R. 134. A military officer in civil employ, when proceeding to the United Kingdom on leave on medical certificate or returning therefrom, is entitled to the same concessions which he would receive

Concessions to military officers in civil employ.

in military employ: Provided that he is not entitled to a certificate in military form E, which gives him the right to travel in a class of railway carriage higher than that for which he pays the fare.

Audit Instruction.—In interpreting this rule either leave on average pay or leave on half average pay may be regarded as leave on medical certificate, because, so long as a medical certificate is obtained, it is immaterial whether the leave salary drawn is equal to average pay or half average pay. (Paragraph 3 of Audit Instruction Circular No. 4, dated the 28th May 1923.)

S. R. 135. Subject to the proviso in rule 134, a military sub-assistant surgeon in civil employ, when proceeding on or returning from leave of not less than six months' duration, is entitled to the same concessions which he would receive if he were in military employ.

S. R. 136. A military officer in civil employ, being a departmental or warrant officer, when proceeding on or returning from leave on medical certificate, is entitled to the same concessions which he would receive in military employ.

(Reserved.)

S. R. 137. Non-commissioned officers and men of the Military Police taking leave other than leave on full average salary not exceeding 4 months are entitled to free passage by river and rail to and from their homes.

Concessions
to Survey and
other
subordinates.
(Reserved.)

S. R. 138. A competent authority may exercise the following powers:—

- (a) He may grant such rail and steamer fares as he considers necessary to khalsis and other menials of the Survey Department proceeding on or returning from leave of any kind. Such fares should be paid for the journey to or from the place at which each menial was recruited.
- (b) He may grant such travelling allowance as he considers necessary to other subordinates of the Survey Department when proceeding on or returning from leave if their homes are situated in provinces other than those in which they are employed.
- (c) Head warders and warders, who are not natives of Bengal, are entitled to free passages by rail and steamer when proceeding to and returning from their homes on leave on half or quarter pay whether by itself or in combination with leave on average pay.

S. R. 139. (a) When a Government servant is compulsorily recalled to duty before the expiry of his leave, he is entitled to travelling allowance as follows:—

- (i) If the leave from which he is recalled is in India and the leave thereby curtailed by not less than one month, he is entitled to draw mileage allowance for the journey from the place at which the order of recall reaches him.
- (ii) If the leave from which he is recalled is out of India, and if the Government servant recalled has not completed by the

date of leaving for India either half the period of his leave or 3 months, whichever period is shorter, he is entitled to travelling allowance from the port at which he lands in India to the station to which he is recalled. (For free passage to India *vide* Fundamental Rule 70.)

If the period by which the leave is curtailed is less than the minimum periods referred to in clauses (i) and (ii) above, mileage allowance may be allowed at the discretion of the authority recalling the Government servant.

(b) If the Government servant recalled to duty is entitled to travelling allowance under rule 121 he may not draw mileage allowance under clause (a) unless he abandons his claims to the mileage allowance specified in rules 112 and 113 (a) I (i) and II (i).

S. R. 140. If a non-gazetted Government servant, on compulsory recall from leave exceeding four months, is posted to a station other than that from which he went on leave, he may, if his pay after transfer does not exceed Rs. 400 and if his new station is distant more than 50 miles from his old station, draw, in addition, to the allowance admissible under rule 123, travelling allowance for his family under rule 113 for the journey from the place at which the order of recall reaches him to the new station: Provided that the amount so drawn shall not exceed the amount admissible under rule 113 for the journey from the old to the new station.

S. R. 141. A Government servant on joining time under Fundamental Rule 105 (d) may draw travelling allowance for the journey as for a journey on transfer.

Travelling allowance during joining time under Fundamental Rule 105(d).

Section XV.—Journey on retirement, dismissal or termination of employment.

S. R. 142. Unless in any case it be otherwise expressly provided in this section, no person is entitled to any travelling allowance for a journey made after retirement or dismissal from Government service or after the termination of such service.

General restrictions.

NOTE.—Men of the Military Police are entitled to free passage by steamer or rail to their homes, when they are retiring on Invalid Pension, but not when retiring on Retiring or Superannuation Pension. (Reserved.)

S. R. 143. A competent authority may, for special reasons which should be recorded, permit any Government servant to draw travelling allowance for a journey of the kind mentioned in rule 142.

Exception.

S. R. 144. When a member of the Executive Council of the Governor or a judge of the High Court travels by railway on retiring from the service or on proceeding to join another post after resigning office, he is entitled, if he so desire, to the concession described in rule 114.

Concessions to high officials.

(Reserved.)

S. R. 145. When a minister after his appointment as such travels by railway on retiring from the service, he is entitled, if he so desires, to the concession described in rule 115.

Concessions to ministers.

(Transferred.)

**Concessions
to Survey
subordinates.**

S. R. 146. A Head of a Department may grant such rail and steamer fares as he considers necessary to a discharged khalasi or other menial for the journey to the place at which the menial was enlisted.

**Concessions
to military
officers in civil
employ.**

S. R. 147. A military officer in civil employ, being a departmental or a warrant officer, on retirement after service which has earned a pension or gratuity, is entitled to the same right as regards a free passage as if he were retiring from military employ.

**Concessions to
Government
servants
temporarily
employed.**

S. R. 148. A person temporarily employed in Government service who has received travelling allowance for the journey to join his post, may, on the termination of his employment, be allowed to draw travelling allowance for the journey to any place: Provided that such allowance does not exceed the travelling allowance calculated for the journey to the place at which he was engaged, that the claim to draw travelling allowance is preferred within three months of the termination of his employment and that the officer under whom he is employed is satisfied that he intends to make the journey.

**Rates of
travelling
allowance
under this
section.**

S. R. 149. Travelling allowance under rules 143 and 148 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.

Section XVI.—Journey to give evidence.

**Journey to
give evidence
of facts of
which he has
official
knowledge.**

S. R. 150. The following provisions apply to a Government servant who is summoned to give evidence in British India—

- (a) in a criminal case, a case before a court-martial, a civil case to which Government is a party or a departmental inquiry held by a properly constituted authority in British India, or
- (b) before a court in an Indian state or in foreign territory;

provided that the facts as to which he is to give evidence have come to his knowledge in the discharge of his public duties:—

- (i) He may draw travelling allowance as for a journey on tour, attaching to his bill a certificate of attendance given by the court or other authority which summoned him.
- (ii) When he draws such travelling allowance, he may not accept any payment of his expenses from the court or authority. Any fees which may be deposited in the court for the travelling and subsistence allowance of the witness must be credited to Government.
- (iii) If the court in which he gives evidence is situated within 5 miles of his headquarters and no travelling allowance is therefore admissible for the journey, he may, if he be not in receipt of permanent travelling allowance, accept such payment of actual travelling expenses as the court may make.

NOTE.—A Government servant summoned to give evidence while on leave or under suspension is entitled to the concessions described in this rule.

S. R. 151. A Government servant summoned to give evidence in circumstances other than those described in rule 150 is not entitled, by reason of his position as a Government servant, to any payments other than those admissible by the rules of the court. If the court pays him any sum as subsistence allowance or compensation, apart from payment for travelling expenses, he must credit that sum to Government before drawing full pay for the day or days of absence. Other cases.

Section XVII.—Journey to obtain medical advice.

S. R. 152. If in order to obtain medical advice, a Government servant is compelled to leave a station at which he is posted and at which there is no medical officer of Government and travel to another station, he may, on production of a certificate from the medical officer consulted that the journey was, in his opinion, absolutely necessary, draw travelling allowance for the journey. General rule.

S. R. 153. If a Government servant is compelled to travel to another station in order to obtain a medical certificate in support of his application for leave, he may draw travelling allowance for the journey; but he may not draw travelling allowance for a journey to obtain the countersignature of a medical officer of Government on such a certificate. Journey to obtain medical certificate.

NOTE.—Travelling allowance is not admissible for a journey to procure a health certificate on first appointment to Government service.

S. R. 154. The journeys contemplated by rules 152 and 153 should not be undertaken without the previous permission of the controlling officer, if such permission can be obtained without risk to the Government servant requiring medical advice. Previous permission necessary, if obtainable.

S. R. 155. A probationary chaplain who is compelled to make a journey in order to obtain from a medical board the health certificate which he must produce before confirmation in Government service may draw travelling allowance for the journey. Probationary chaplains. (Reserved.)

S. R. 156. (a) A Government servant who is directed by his official superior, in the interests of the public service, to apply for an invalid pension may, if he be required to make a journey in order to appear before a medical board, draw his actual travelling expenses, subject to a maximum of the amount of travelling allowance calculated for the journey. If it be necessary for him to return to his headquarters after appearing before the medical board, he may draw his actual expenses subject to the same maximum. In both cases his travelling allowance bill must be supported by a certificate that he was directed to apply for an invalid pension in the interests of the public service and that he did not voluntarily ask to retire. Journey to appear before a medical board preliminary to retirement.

(b) A competent authority may allow actual expenses, as limited by clause (a) of this rule, to be drawn by a Government servant who voluntarily applies for an invalid pension: Provided that the authority is satisfied that the circumstances of the applicant are such as to justify the concession.

Journey to appear before a medical board in other circumstances.

S. R. 157. Except as provided in rules 155 and 156, no travelling allowance is admissible for a journey undertaken in order to appear before a medical board.

Rates of travelling allowance under this section.

S. R. 158. Travelling allowance under rules 152, 153, 155 and 156 (a) should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.

Section XVIII.—Journey in attendance on an incapacitated Government servant.

S. R. 159. If a Government servant, under the advice of a civil surgeon or other medical officer of Government whose duty it is to attend him professionally, is required to travel to a presidency town or elsewhere, either when proceeding on leave or in order to obtain further medical advice, and the medical officer considers that it would be unsafe for him to make the journey unattended, the medical officer may either himself accompany the patient to his destination or arrange that some other person shall do so. In that case, the attendant, if a Government servant, shall be deemed to have been travelling on duty and may draw travelling allowance for the outward and return journey as for a journey on tour; if not a Government servant, he shall be entitled to actual expenses.

Section XIX.—Journey on a course of training.

S. R. 160. When a Government servant or a student not already in Government service is selected to undergo a course of training, a competent authority may decide the scale, if any, on which he shall draw—

- (a) travelling allowance for the original journey to and the last journey from the place of training, and for halts at such place;
- (b) in the case of training at a school, college or similar institution, travelling allowance for similar journeys on the occasion of holidays and vacations; and
- (c) travelling allowance for journeys during the course of training:

Provided that the scale so fixed shall not exceed that admissible to Government servants of similar status on duty at the place of training.

NOTE.—A list of cases in which travelling allowance is allowed for journeys to undergo training is given in Appendix No. 13.

Section XX.—Journey to attend a darbar or levee.

S. R. 161. A Government servant who is permitted to attend a darbar or a levée elsewhere than at his headquarters may draw travelling allowance for the journey as for a journey on tour.

CHAPTER IV.—Travelling allowance admissible when means of transport are supplied without cost to the Government servant travelling.

Section XXI.—Supply of free accommodation on railway journeys.

S. R. 162. The member of the Board of Revenue when travelling on duty within his sphere of duty is entitled— Reservation of first class compartments.

- (1) when travelling by railway to a reserved first class compartment to be obtained by requisition and to fares (if actually paid) for four servants at lowest class rates; (Reserved.)
- (2) when travelling by steamer to a reserved cabin (if one is available) and to fares (if actually paid) for four servants at lowest class rates subject to the usual deduction on account of messing charges, and
- (3) when travelling by road to a mileage of eight annas.

S. R. 163. A judge of the High Court when travelling on duty is entitled— (Reserved.)

- (1) when travelling by railway to a reserved first class compartment and to fares (if actually paid) for four servants at lowest class rates;
- (2) when travelling by steamer to a reserved cabin (if one is available) and to fares (if actually paid) for four servants at lowest class rates subject to the usual deductions on account of messing charges, and
- (3) when travelling by road to a mileage of one rupee.

He is also entitled to draw daily allowances for each day on which he has been engaged in inspection work.

S. R. 164. The procedure to be followed in submitting a requisition for reserved accommodation shall be such as may be prescribed by the Railway Board. Procedure of requisition.

S. R. 165. When a Government servant travels in a carriage reserved by requisition, the carriage is entirely at his disposal and may be detached and detained at any railway station at his request. Effect of requisition of a carriage.

S. R. 166. The issue of free passes for journeys by railway is regulated by rules made in this behalf by the Railway Board. Free passes.

Section XXII.—Travelling allowance admissible when the whole or part of the means of conveyance is supplied without charge.

SUB-SECTION (I).—JOURNEYS BY RAILWAY.

S. R. 167. The travelling allowance admissible to a Government servant who makes a journey by railway in accommodation reserved by requisition is prescribed in sub-section (iv) of section IX and elsewhere in these rules. Journeys made by railway in accommodation reserved by requisition.

Free transit by railway otherwise than in accommodation reserved by requisition.

S. R. 168. When a Government servant is entitled to, or is allowed free transit by, railway otherwise than in accommodation reserved by requisition, whether on a free pass or otherwise, the mileage allowance which he draws for the journey must be reduced by the amount of the fare which, but for such free transit, he would have paid. This rule applies to cases in which a free pass is issued on any railway, whether worked by Government or not. The reduction made must include the full number of fares covered by the pass, unless the Government servant certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

NOTE.—The circumstances under which a free pass may be given are irrelevant and it is immaterial whether it is held by an officer in his official capacity or not.

Government servant in receipt of permanent travelling allowance.

S. R. 169. When a Government servant in receipt of permanent travelling allowance uses a free pass on a railway or a company's steamer within his sphere of duty, he must deduct from his permanent travelling allowance for the month the amount of the railway or steamer fares which he would have paid if he had not travelled on a pass.

Government servant entitled to travel in a higher class on payment of a lower fare.

S. R. 170. When a Government servant is permitted to travel by railway in a higher class on payment of a lower fare, his mileage allowance must be reduced by the amount by which the fare of the class in which he travels exceeds the fare actually paid.

Government servant travelling with a free pass on an unopened line of railway.

S. R. 171. A Government servant travelling with a free pass on an unopened line of railway is entitled to the travelling allowance prescribed in rule 174 as limited by rule 176.

SUB-SECTION (II).—JOURNEYS BY SEA OR RIVER IN A STEAMER.

Journey by Government vessel.

S. R. 172. When a Government servant travels by sea or river, otherwise than on payment of passage money, in a steamer the cost of which is paid by Government or by a local fund, he may draw no travelling allowance except the daily allowance of his grade: Provided that, when his servants and luggage are not conveyed on the vessel but are sent separately at his expense, he may draw, in addition, the actual cost of transporting them.

S. R. 173. When a Government servant is allowed free transit by steamer, otherwise than in a Government vessel, the mileage allowance which he draws for the journey must be reduced by the amount of the fare which, but for such free transit, he would have paid. If he travels on a free pass, the reduction made must include the full number of fares covered by the pass, unless the Government servant certifies that he did not use the pass in respect of any fare or fares for which no reduction is made.

NOTE.—Passage gratuities payable in all cases to officers last employed in India, excluding Burma, are first class railway or steamer fares to Bombay, plus cost of first class passage by P. and O. Steam Navigation Company's Line at B rates.

SUB-SECTION (III).—OTHER JOURNEYS.

S. R. 174. Except where otherwise expressly provided in this section, when, on a journey other than a journey by railway or by steamer, a Government servant uses a means of locomotion provided at the expense of Government, a local fund or an Indian State, and does not pay the cost of its use or propulsion, he is entitled to travelling allowance as follows:—

Free transit by
boat, road, etc..

- (a) If he has not to provide separate conveyance at his own expense for his servants or luggage, he may draw the daily allowance of his grade and may not exchange it for mileage allowance. If, however, part of the journey is made by other means of locomotion, he may, at his option, draw in lieu of daily allowance the mileage allowance admissible for that part.
- (b) If he has to provide separate conveyance at his own expense for his servants or luggage, he may, if the conditions of rule 81 or 82 are fulfilled, exchange his daily allowance for half the mileage allowance calculated for the journey and draw, in addition, the mileage allowance admissible for any part of the journey made by other means of locomotion.

NOTE.—The travelling allowance of Government servants travelling by trolley or construction train along an unopened portion of a line is regulated by clause (a) of the rule.

S. R. 175. When a Government servant is provided with means of locomotion as in rule 174, but pays all the cost of its use or propulsion, he may draw travelling allowance under the ordinary rules, subject to the deduction of such fixed hire or charge as a competent authority may fix.

When the
Government
servant pays:
the cost of
propulsion..

NOTE 1.—Government servants, when travelling on duty in a steamer, steam launch and motor launch under the control of Government shall be charged the following rates:—

- (a) For the first four hours during which the vessel is under steam—Rupee one for each hour or each uncompleted portion of an hour.
- (b) After the first four hours—Rupees two for each hour or each uncompleted portion of an hour.
- (c) When two or more Government servants travel together in the same steamer or launch, each Government servant shall pay the full charge laid down in these rules.
- (d) Stoppages exceeding half an hour, in duration will be deducted from the time charged.
- (e) No charge whatever will be made when the steamer or launch travels empty.

NOTE 2.—(a) Government servants travelling in a Government boat and maintaining the crew (wholly or in part) shall pay the following daily rates of hire:—

	Rs. A.
(i) By Government servants whose daily allowance is Re. 1 or less	Nil.
(ii) By Government servants whose daily allowance is more than Re. 1 but not more than Rs. 5	1 0
(iii) By Government servants whose daily allowance is more than Rs. 5 but not more than Rs. 6	1 8
(iv) By Government servants whose daily allowance is more than Rs. 6	2 0

(b) In the case of two or more Government servants whose daily allowances are in each case Rs. 5 or more, the total daily rate of hire is Rs. 2 payable in proportion to the rates of daily hire payable by the Government servants under prescribed scale.

NOTE 3.—(a) Government servants using Government elephants will be responsible for the proper treatment of the elephants while in their possession and will pay a fixed charge of annas 8 per diem for each elephant used. The payment to Government must continue to be made during halts, if travelling allowance is drawn during them.

The charge for any month may be remitted by the controlling officer, when it is certified that the elephant could not be used owing to illness and that the illness was not due to neglect on the part of the Government servant responsible for the maintenance of the elephant.

(b) Assistant Conservators, Extra Deputy Conservators, and Extra Assistant Conservators, when in charge of Forest Divisions, should pay Rs. 45, Rs. 35 and Rs. 35 per mensem respectively, for two elephants for 6 months from November to April. When they are not in charge of Divisions they may be allowed one elephant for which they should pay Rs. 15 a month for the same period.

Exceptions.

S. R. 176. The provisions of rules 174 and 175 do not apply to a Government servant of the fourth grade or to any other Government servant or class of Government servants to whom a competent authority may declare them to be inapplicable.

NOTE.—Rules 174 and 175 are not applicable to the following cases :—

- (i) *Gazetted Government servants and Rangers of the Forest Department serving in the Sunderbans Division*—Entitled to half the daily allowance ordinarily admissible without deduction of hire.
- (ii) *Government servants of the combined Excise and Salt Department*—Draw daily allowance at ordinary rates without additional 50 per cent. but no mileage, when travelling by Government steamer or boat, without deduction of hire.
- (iii) *Government servants provided with elephants required for the conduct of professional operation and not for their private use*—Daily allowance without deduction of hire.

Journeys by Government motor-car.

S. R. 177. A Government servant, who travels by a motor-car which has been supplied to him at the expense of Government on the condition that he himself bears the ordinary cost of maintenance, may draw travelling allowance as for a journey on tour, but the amount of the mileage allowance which he may draw is limited by the following conditions :—

- (a) If he travels by the motor-car more than 20 miles in one day, he may draw for the first 20 miles the mileage allowance of his grade as laid down in rule 81 and for the remainder of the journey three-fourths of such mileage allowance.
- (b) If he combines with a journey by the motor-car a road journey by other conveyance, he may draw the mileage allowance admissible for the first 20 miles or for the journey by other conveyance, whichever is greater, and for the remainder of the journey three-fourths of such mileage allowance.

- (c) If he combines with a journey by road, whether made wholly or partly in the motor-car, a journey by railway or steamer, he may draw mileage allowance for the journey by railway or steamer, in addition to, the allowances admissible under clauses (a) and (b) of this rule for the journey by road.

S. R. 178. The chauffeur of a motor-car supplied at the expense of Government, when making a journey by road on the motor-car in his charge, may draw travelling allowance under the provisions of rule 174 (a) if the journey involves an absence of at least one night from his headquarters. For a journey which does not involve such an absence he is entitled to no travelling allowance.

**Chauffeurs of
Government
motor-cars.**

Chapter V.—Grant of travelling allowance to persons who are not in the Civil Service of the Crown.

Section XXIII.—Government servants in military employ.

General rule.

S. R. 179. Except as provided in rule 180, the travelling allowance admissible to Government servants in military employ is governed by military regulations.

Military officers invited to attend a darbar or levée.

S. R. 180. When a commissioned Indian military officer of the regular forces, the military police or the militia, whether on the active or the retired list, is invited to attend a darbar or levée at a place other than that at which he is stationed or has his residence, a competent authority may grant him travelling allowance for the journey subject to the following limits:—

- (a) For the journey from his station or place of residence to the place at which the darbar or levée is held and thence back to his starting point, single railway and steamer fares actually paid, and actual travelling expenses for journeys by road, subject to the maximum admissible to a Government servant of the first grade.
- (b) For halts at the place at which the darbar or levée is held, a daily allowance of Rs. 4.

Section XXIV.—Other persons.

Honorary Magistrates.

S. R. 181. An honorary magistrate, not being a Government servant, may, when employed on Government work under the orders of a district magistrate or subdivisional officer at a distance exceeding five miles from his headquarters, or when the bench which he attends is situated at a similar distance from his residence, draw for journeys by railway double second class fare and for journeys by road annas four for each mile travelled. During halts when similarly employed, he may draw daily allowance of Rs. 4 subject to the conditions applicable to halts of Government servants on tour.

Persons attending commissions of enquiry, etc.

S. R. 182. (a) When any person, not being a Government servant, is required to attend any meeting of a commission of enquiry or of a board, conference, committee or departmental enquiry convened under proper authority, or is required to perform any public duties in an honorary capacity, a competent authority may grant him travelling allowance for the journey calculated under the ordinary rules for the journey of a Government servant on tour, and for this purpose may declare, by general or special order, the grade to which such person shall be considered to belong.

NOTE 1.—Except in special cases, which would be considered individually on their merits, when travelling allowance is granted by the order of a competent authority to any person not being a Government servant for attending any meeting of a commission of enquiry, or of a board, conference, committee or departmental enquiry convened under proper authority, or for performing any public duties in an honorary capacity, he shall draw travelling allowance at the rates ordinarily admissible to an officer of the second grade, and daily allowance at the rate of Rs. 4.

NOTE 2.—When a Government servant, while on leave or during vacation, is employed as an honorary organiser of co-operative societies, he may draw travelling allowance not exceeding the amount to which he would be entitled if not on leave and performing his ordinary official function, provided that the Head of the Department or office to which he belongs agrees to his having been so employed.

NOTE 3.—Travelling expenses paid to private individuals, who are summoned from one station to another for inspection by the proper authority before selection as candidate for an appointment, are treated as a contingent charge, rules regarding which have been incorporated in the Accountant-General's *Andi Manual*.

(b) In a case of the kind contemplated by clause (a) of this rule, a competent authority may, in its discretion, grant to the person concerned his actual travelling, hotel and carriage expenses instead* of travelling allowance under that clause.

(c) A competent authority may delegate the power conferred upon it by clause (a) of this rule to the Government servant presiding over the meeting of the commission or other body which the person concerned is required to attend.

Chapter VI. -Controlling Officers.**Section XXV.—Signature on travelling allowance bills.**

Controlling officer to be declared by competent authority.

S. R. 183. A competent authority shall declare what authority shall be the controlling officer, for travelling allowance purposes, of each Government servant or class of Government servants. It may, if it thinks fit, declare that any particular Government servant shall be his own controlling officer. ■

NOTE.—A list of Government servants declared as Controlling Officers for travelling allowance purposes is given in Appendix No. 17.

Signature of controlling officer necessary on a travelling allowance bill. Exceptions.

S. R. 184. Except as provided in rule 185, no bill for travelling allowance, other than permanent travelling allowance, shall be paid unless it be signed or countersigned by the controlling officer of the Government servant who presents it.

S. R. 185. The following classes of Government servants may present bills for travelling allowance without the countersignature of the controlling officer:—

(Reserved.)

(a) Chaplains; provided that the bill is accompanied by the order authorising the journey, of—

(i) the Bishop or Commissary of the diocese, in the case of a chaplain of the Church of England, or

(ii) the Presidency Senior Chaplain, in the case of a chaplain of the Church of Scotland.

(b) Non-gazetted Government servants; Provided that detailed and countersigned bills are subsequently submitted to the audit officer for adjustment.

Delegation of duty of counter-signature.

S. R. 186. Except where expressly permitted by a competent authority a controlling officer may not delegate to a subordinate his duty of countersignature.

Section XXVI.—Duties and powers.

S. R. 187. It is the duty of a controlling officer, before signing or countersigning a travelling allowance bill—

(a) to scrutinise the necessity, frequency and duration of journeys and halts for which travelling allowance is claimed, and to disallow the whole or any part of the travelling allowance claimed for any journey or halt if he considers that a journey was unnecessary or unduly protracted or that a halt was of excessive duration;

(b) to scrutinise carefully the distances entered in travelling allowance bills;

(c) to satisfy himself that, where the actual cost of transporting servants, personal effects, etc., is claimed under these rules, the scale on which such servants, effects, etc., were transported was reasonable; to obtain the receipts from the railway

- or steamer companies and personal certificates from the Government servant for the purpose, and to disallow any claim which, in his opinion, does not seem to be reasonable;
- (d) to check any tendency to abuse the option of exchanging daily allowance for mileage allowance; and
 - (e) to observe any subsidiary rules which a competent authority may make for his guidance.

Provision of residences.

45. When Government supplies a Government servant with a residence leased, acquired or constructed at Government expense, the following conditions shall be observed:—

- (a) The scale of accommodation supplied shall not exceed that which is appropriate to the status of the occupant.
- (b) Save in the circumstances mentioned in clause (e) below, the occupant shall pay rent for the residence, and such rent shall not exceed the standard rent which the local Government may fix for the residence, or 10 per cent. of the occupant's emoluments, whichever is less. Emoluments, for the purpose of this rule, include compensatory allowance other than travelling allowance, whether drawn from general revenues or from a local fund, and pension, if the occupant is in receipt of pension.

Note. The standard rent shall be calculated as follows:—

- (i) In the case of leased residences, it shall be the sum paid to the lessor, *plus* such allowance for maintenance and repairs, if these are a charge on the local Government, as the latter may fix.
- (ii) In the case of residences acquired or constructed by Government, it shall be calculated on the cost of acquiring or constructing the residence, including any capital expenditure incurred after acquisition or construction, together with the cost or assessed value of the site, and shall be a percentage of its cost equal to such rate of interest as may from time to time be fixed by the Secretary of State in Council, *plus* such allowance for maintenance and repairs as the local Government may fix.

(c) Nothing contained in clause (b) above shall operate to prevent a local Government from—

- (i) taking in any particular area a uniform percentage of emoluments, not exceeding 10 per cent., as rent from each Government servant supplied with a residence; provided that, if the uniform percentage taken is less than 10

per cent., the total amount of the standard rent fixed for all residences supplied in that area is thereby recovered; or

- (ii) taking from any Government servant, who is in receipt of a compensatory allowance granted on account of dearness of living, a rent in excess of 10 per cent. of his emoluments.
- (d) A local Government may make rules prescribing the principles on which rent shall be assessed in the case of Government servants who are supplied with residences in more than one station, or who, owing to the nature of their duties, occupy Government residences for a part only of the year; provided that—
 - (i) a Government servant, to whom more residences than one are allotted shall not pay less rent for the total period of occupation in any one year than 10 per cent. of his emoluments for that period, or the total of the standard rents for the period of occupation of each house, whichever is less; and
 - (ii) a Government servant to whom a Government residence is allotted for a part only of the year shall not pay less rent than the amount calculated on that residence under clause (b) above for the period of occupation.
- (e) A local Government may, in very special circumstances for reasons which should be recorded, waive or reduce the amount of rent to be recovered, or grant rent-free accommodation to Government servants who are required to occupy particular houses in order to ensure the proper performance of their duties.
- (f) The limit of 10 per cent. prescribed under clause (b) and the uniform percentage of emoluments mentioned in clause (c) above have reference to the rent of the building only. Adequate additional rent should be charged for furniture, water-supply and sanitary, heating and electric installations, if these are supplied. Such charges should not be foregone, except in very special circumstances, for reasons which should be recorded.

Secretary of State's Rules.—In pursuance of Fundamental Rule 45 (b) Note (ii), the Secretary of State in Council has prescribed as the rate of interest to be applied in calculating the rent of a house which may be occupied for the first time after 19th June 1922, being the date of receipt of his orders, the rate which is in force, as the standard of return from productive irrigation works, at the time of acquisition or construction of the house. He further directed that the basic interest rate on which rents for houses previously occupied have been calculated, may remain unaltered unless in any case they are higher than that now prescribed for houses occupied hereafter.

Government of India's decision.—For the purpose of assessing rent the Government of India have decided that the time of construction should be taken as the date on which the accounts of the estimate for the construction of the residence are closed. (Government of India, Finance Department, No. 1061-E.B., dated the 4th September 1922.)

Audit Instructions.—The rates of interest given in the following table should be applied in calculating the standard rent of residences :

Date of acquisition or construction of the residence.	Rate of Interest.	
	Buildings occupied on or before 19th June 1922.	Buildings occupied after the 19th June 1922.
	Per cent.	Per cent.
Before 1st April 1919	3½	4
1st April 1919 to 31st July 1921 ..	3½	5
1st August 1921 to 31st December 1921	3½	6
From 1st January 1922 until further orders	6	6

NOTE.—The date of construction referred to in column (1) of this table should be taken as the date on which the accounts of the estimate for the construction of the residence are closed. In respect of expenditure on additions and alterations to residences, the interest should be calculated at the rate applicable on the date on which the accounts of the estimates for the additions or alterations are closed.

(Paragraph 21 of Audit Instructions issued up to 31st October 1922.)

S. R. 188. When, owing to the nature of his duties, a Government servant occupies a Government residence for a part only of the year, he shall pay rent for the period of his occupation. The amount of rent payable shall be the amount that would be payable by the same Government servant under clause (b) or (c) of Fundamental Rule 45 as the rent of that residence, for the period of occupation.

Honoraria.

46. A Government servant may be granted an honorarium from general revenues, or permitted to receive an honorarium or a recurring or non-recurring fee from a private person or body or from a public body including a

body administering a local fund, or from an Indian State, in return for work performed either within or outside the course of his ordinary duties, when the work is of such exceptional merit or of such an arduous or peculiar nature as to justify a special reward. The reasons for the grant of the honorarium or fee shall be recorded in writing by the sanctioning authority.

Audit Instructions.—The rule requires that the reasons for the grant should be recorded in writing, as it is intended that the grant of an honorarium or fee should be carefully controlled and that audit should be given an effective opportunity of intervention if it be deemed necessary. Audit officers may, therefore, require that the reasons for the grant of an honorarium or fee should be communicated to them in each case. (Paragraph 22 of Audit Instructions issued up to 31st October 1922.)

47. A local Government may make rules fixing the amounts which may be sanctioned as honoraria or fees by the authorities subordinate to it and specifying the conditions under which they may be granted or accepted.

Note.—This rule does not apply to the acceptance of honoraria or fees by medical officers in civil employ, which shall be governed by such orders as the Secretary of State in Council may issue in this behalf.

Rules dealing with the grant of honorarium.

S. R. 189. Subject to the conditions prescribed in rules 190 to 194 competent authority may sanction the grant of an honorarium from general revenues to a Government servant under its administrative control or the acceptance by such a Government servant of an honorarium or a fee from a source other than general revenues. No Government servant may accept an honorarium or fee without such sanction, and he should obtain this sanction from the competent authority before commencing the work.

S. R. 190. The amount of an honorarium or fee must be fixed with due regard to the value of the service in return for which it is given.

S. R. 191. When the service rendered falls within the scope of the ordinary duties of the Government servant performing it, the test of exceptional merit prescribed in Fundamental Rule 46 must be very strictly applied.

NOTE.—An honorarium shall not be given under this rule for superintendence of examination of candidates rendered compulsory on persons belonging to the public service or any other examination, the conduct of which comes within the ordinary duties of the officer or officers conducting them. But an honorarium may be granted to a Government servant superintending an examination of candidates for admission to the public service or any other examination the conduct of which is declared by the Local Government or head of a department authorised to hold such examination, not to come within the ordinary duties of the Government servant or servants conducting them.

S. R. 192. Sanction must not be given to the acceptance of an honorarium or fee from a source other than general revenues unless the work for which it is offered has been undertaken with the knowledge and sanction of a competent authority, who must certify that its performance will involve no detriment to the official duties of the Government servant performing it.

S. R. 193. When an honorarium or fee is paid from a source other than general revenues for work done by a Government servant during time which would otherwise be spent in the performance of official duties, the honorarium or fee must be credited to general revenues: Provided that a competent authority may, for special reasons which should be recorded, direct that the whole or any part of it may be paid to the Government servant.

S. R. 194. When a Government servant of an educational service is permitted to receive fees for private tuition, the financial limits of the powers of sanction accorded to a competent authority shall be considered to apply to the total amount of fees to be accepted by such Government servant during any particular scholastic term or vacation.

S. R. 195. No Government servant may act as an arbitrator in any case which is likely to come before him in any shape by virtue of any judicial or executive post which he may be holding.

S. R. 196. A Government servant called upon by a court of law to act as a commission to give evidence on technical matters may comply with the request: Provided that the case is not of such a nature as will be likely to come before him in the course of his official duties, and may accept such fees as are fixed by the court.

48. Any Government servant is eligible to receive without special permission (a) the premium awarded for an essay or plan in public competition, or (b) any reward offered for the arrest of a criminal or for information or special services in connection with the administration of justice; and also any remuneration or reward payable under any special or local law or in accordance with the provisions of any Act or regulation or rules framed thereunder.

Chapter VI.—Combination of Appointments.

49. A local Government may appoint one Government servant to hold substantively, as a temporary measure, or to officiate in, two or more independent posts at one time. In such cases his pay is regulated as follows:—

- (a) The highest pay, to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post;
- (b) for each other post he draws such reasonable pay, in no case exceeding half the presumptive pay of the post, as the local Government may fix; and
- (c) if a compensatory allowance is attached to one or more of the posts, he draws such compensatory allowance as the local Government may fix, provided that such allowance shall not exceed the total of the compensatory allowances attached to all the posts.

Audit Instructions.—Rule 49 (b) requires that such pay as may be considered “reasonable” in the circumstances may be given; half the presumptive pay of the post is not therefore to be regarded as the amount normally permissible. (Paragraph 23 of Audit Instructions issued up to 31st October 1922.)

Chapter VII.—Deputation out of India.

50. Unless the Secretary of State in Council by general or special order otherwise direct, no deputation of a Government servant out of India shall be sanctioned without previous reference to the Secretary of State in Council.

Audit Instructions.—The period of the deputation runs from the date on which the Government servant makes over charge of his office in India to the date on which he resumes it; or if the Government servant is on leave out of India at the time he is placed on deputation, the period of the deputation is the time actually occupied by the duty. (Note 1, under Article 85, Civil Service Regulations—Paragraph 3 of Audit Instruction Circular No. 3, dated the 19th March 1923.)

51. When a Government servant is with proper sanction so deputed, his pay and allowances shall, unless the Secretary of State in Council in any particular case otherwise direct, be regulated by the Governor General in Council as follows:—

- (a) If the deputation is declared by the Governor General in Council to be under *quasi-European* conditions the Government servant deputed shall be granted not more than two-thirds of the pay which he would draw if he were on duty in India. The Governor General in Council may relax the limit of two-thirds in the case of a Government servant of Indian domicile. A compensatory allowance also may be granted by the Secretary of State in Council if the deputation is to Europe or America, or in other cases by the Governor General in Council.
- (b) If the deputation is declared not to be under *quasi-European* conditions, the emoluments of the Government servant deputed shall be determined by the Governor General in Council with due regard to the provisions of rule 40 above as though a temporary post had been created.

Secretary of State's orders.—(1) The Secretary of State in Council has directed that the following rule contained in Article 85, Civil Service Regulations, shall remain in force:—The Government of India may sanction the deputation of an officer of Government, whether paid from general revenues or a local fund or in Foreign service, on duty outside India otherwise than in Europe or America

for not more than 12 months at the cost of Indian revenues. (Government of India, Finance Department, Resolution No. 633-C.S.R., dated the 22nd June 1922.)

(2) The Secretary of State in Council has directed that the following rules shall regulate the deputation out of India of subordinate police officers.

* The Government of India, or, in cases in which the cost is met from Provincial Revenues, a local Government may depute a subordinate police officer to any country outside India, to accompany or take charge of criminals or lunatics, or on any other business, which is part of his duty as a police officer, and may grant to the officer so deputed—

- (a) full pay, for the entire period of absence from India; with
- (b) actual travelling expenses, and a subsistence allowance not exceeding the following scale, while in any country outside India :

	<i>s.</i>	<i>d.</i>
For an Officer of the Inspector class	.. 22	6 a day.
For an Officer of the Sergeant class	.. }	15 0 a day.
For an Officer of the Constable class	.. }	

The local Government may delegate their powers under this rule to officers of a rank not lower than Deputy Inspectors General of Police, or Commissioner of Police in Calcutta. (Government of India, Finance Department, Resolution No. 1224-C.S.R., dated the 10th November 1922.)

(3) The orders of the Secretary of State in Council regarding the eligibility of officers placed on deputation outside India for a return passage to India on the expiry of their deputation are contained in the extract of his Despatch No. F—911/23, dated the 8th March 1923, reproduced below :—

* * * * *

I am therefore to ask that if the Government of India see no objection, it may be made clear to Local Governments and to officers proceeding on deputation from time to time that the grant of a return passage to India on conclusion of a deputation is conditional on an officer's return to duty forthwith on the conclusion of the deputation, unless an arrangement to the contrary effect should be specially permitted at the time the deputation closes, or is about to close, and the proposed leave is begun. * * * * *

(Vide Government of India, Finance Department, No. 598 C.S.R., dated the 26th April 1923.)

(4) The Secretary of State in Council has directed that officers on leave, who are unwilling to undertake special duty on deputation rates of pay, may be allowed to continue to consume leave and receive an honorarium fixed at one-sixth of Indian pay. (Government of India, Finance Department, No. 994 C.S.R., dated the 9th May 1924.) *

Chapter VIII.—Dismissal and Suspension.

52. The pay and allowances of a Government servant who is dismissed from service cease from the date of such dismissal.

53. A Government servant under suspension is entitled to the following payments:—

- (a) If a military officer in civil employ, to the pay and allowances of his military rank.
- (b) In any other case, to subsistence grant.

54. When the suspension of a Government servant as a penalty for misconduct is, upon re-consideration or appeal, held to have been unjustifiable or not wholly justifiable; or

When a Government servant dismissed or suspended pending enquiry into alleged misconduct is, upon re-consideration or appeal, reinstated; the revising or appellate authority may grant to him for the period of his absence from duty—

- (a) if he is honourably acquitted, the full pay to which he would have been entitled if he had not been dismissed or suspended and, by an order to be separately recorded, any allowance of which he was in receipt prior to his dismissal or suspension; or
- (b) if otherwise, such proportion of such pay and allowances as the revising or appellate authority may prescribe.

In a case falling under clause (a), the period of suspension or dismissal will be treated as a period spent on duty. In a case falling under clause (b), it will not be treated as a period spent on duty unless the revising or appellate authority so direct.

S. R. 197. No extra cost may ordinarily be imposed on the State by the grant of an allowance under Fundamental Rules 53 (b) and 54 without the permission of the Local Government. In cases however when it does not exceed Rs. 500 and where the period during which the Government servant has remained unemployed through suspension or dismissal does not exceed 6 months, the

excess expenditure may be admitted on the sanction of the suspending authority or the revising or appellate authority, as the case may be.

S. R. 198. Fundamental Rule 54 applies also to Government servants in temporary employ, but in deciding whether an allowance should be granted to such Government servants the period for which the temporary appointment has been sanctioned should be taken into consideration.

Committals to Prison:

S. R. 199. A Government servant committed to prison either for debt or on a criminal charge, should be considered as under suspension from the date of his arrest, and not allowed to draw any pay until the termination of the proceedings against him, when an adjustment of his allowances should be made according to the circumstances of the case, the full amount being given only in the event of the Government servant being acquitted of blame or (if the imprisonment was for debt), of its being proved that the Government servant's liability arose from circumstances beyond his control.

55. Leave may not be granted to a Government servant under suspension.

Chapter IX.—Compulsory Retirement and Resignation of Office.

56. (a) Except as otherwise provided in this rule, a Government servant, other than a ministerial servant, is required to retire on attaining the age of 55 years. He may be retained in service after that age with the sanction of the local Government on public grounds, which must be recorded in writing; but he must not be retained after the age of 60 years except in very special circumstances.

(b) A ministerial servant may be required to retire at the age of 55 years, but should ordinarily be retained in service, if he continues efficient, up to the age of 60 years. He must not be retained after that age except in very special circumstances, which must be recorded in writing, and with the sanction of the local Government.

(c) The following are special rules applicable to particular services:—

(i) A member of the Indian Civil Service, who is not a judge of a Chief Court, must retire after 35 years' service counted from the date of his arrival in India; provided that, if he has held his post for less than five years, he may, with the sanction of the Governor General in Council, be permitted to retain it until he has held it for that period.

(ii) A member of the Indian Civil Service, who is a judge of a Chief Court, must retire on attaining the age of 60 years.

(iii) In the case of the officer specified in rule 98 below, and of the Legal Remembrancer and Secretary to the Legislative Council of the Punjab if he fulfils the conditions prescribed in that rule, the age limit is 60 years.

(iv) A civil engineer in the Public Works or Railway Department must retire on reaching the age of 55 years, and may be required by the Governor General in Council to retire on reaching the age of 50 years if he has not attained to the rank of Superintending Engineer; provided that, in the case of Chief Engineers, the local Government

may in special circumstances, which should be recorded in writing, grant an extension of service not exceeding three months.

- (v) A civilian in the Superior Railway Revenue Establishment or the Superior Establishment of the Telegraph Department must retire on reaching the age of 55 years.

Note.—This sub-clause does not apply to members of the first and second divisions of the Superior Telegraph Traffic Branch (other than officers of the old Superior Telegraph Establishment), nor to those of the second division of the Superior Telegraph Engineering and Technical Branches, whose retirement is governed by clause (a) of this rule.

- (vi) The following provisions are applicable to military officers in civil employ:—

- (1) Officers of the Indian Medical Service must retire from civil employ at the age of 55 years, provided that—

- [1] a Director General of the Indian Medical Service may remain in service up to the age of 60 years;
- [2] Surgeons General and Inspectors General of Civil Hospitals may remain in civil employ up to the age of 57 years; and
- [3] a Lieutenant-Colonel who entered the service before the 1st April 1911, and was specially selected for increased pay on or before the 16th February 1921, may remain in civil employ till he completes 30 years' service; but if he is specially selected for increased pay after the 16th February 1921, he shall be retired on attaining the age of 55 years unless he has not completed 27 years' service for pension, in which case he may be retained until he completes such period of service.

- (2) Military officers in the Survey of India Department cease to be in civil employ on reaching the age of 55 years unless granted an extension by the Secretary of State in Council.

- (3) Military commissioned officers serving in the Public Works or Railway Department cease to be in civil employ under the same conditions as govern the retirement of civil engineers of those departments. In addition, an officer of the Royal Engineers must retire on attaining the rank of General Officer; provided that, if he is holding a post of Chief Engineer, he may, with the sanction of the Governor General in Council, be permitted to complete a five years' tenure of the post, unless in the meantime he is required to vacate office under some other regulation.
- (4) Military officers serving in any department, other than those mentioned in (1) to (3) of this sub-clause, cease to be in civil employ on reaching the age of 55 years; but any such officer, being a military commissioned officer, and having held his post for less than five years, may for special reasons, with the sanction of the Governor General in Council, be permitted to retain it until he has held it for that period.

Note 1.—This rule does not apply to a Government servant who is appointed to any post by His Majesty the King Emperor of India, or by the Governor General in Council with His Majesty's approval.

Note 2.—For the purpose of sub-clauses (i), (vi) (3) and (vi) (4) of clause (c) of this rule officiating tenure of a post shall be included in calculating the period of five years.

Note 3.—The grant, under rule 86, of leave extending beyond the date on which a Government servant must compulsorily retire, or beyond the date up to which a Government servant has been permitted to remain in service, shall be treated as sanctioning an extension of service up to the date on which the leave expires.

Audit Instructions.—The period of 5 years referred to in sub-clause (c) (i), Fundamental Rule 56, begins to run from the date on which the Government servant first takes up the office, whether substantively or temporarily, provided that, if temporarily, he is confirmed without reverting to his substantive post; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher post, *i.e.*, the period of temporary promotion is included in the period of 5 years. (Paragraph 25 of Audit Instructions issued up to 31st October 1922.)

Secretary of State's Ruling.—The age of superannuation referred to in sub-clause (c) (iii) should be 60 years in case of all incumbents of the posts included in Fundamental Rule 98, which has replaced Article 547, Civil Service Regulations, irrespective of

whether the officer concerned is recruited directly or promoted from a subordinate post. (Secretary of State's telegram No. 3725, dated the 18th October 1923, received with Government of India, Finance Department, No. 2053-C.S.R., dated the 16th November 1923.)

Audit Instructions.—The Law Officers referred to in sub-clause (c) (iii) to whom the old rule in Chapter XXIV, Civil Service Regulations applied on the 25th June 1901, are exempt from compulsory retirement at 55 years of age. (Paragraph 26 of Audit Instructions issued up to 31st October 1922.)

Government of India's Ruling.—In the case of officers who have not elected to serve under the amended rules for the retirement of officers of the I.M.S. (*vide* the Royal Warrant, dated the 13th June 1919), the ages prescribed in the old rules may be taken as the date of compulsory retirement.

In the case of an administrative Medical Officer, who reaches the age for compulsory retirement before the expiry of his term of service, or who completes his term of service before he has reached the age for compulsory retirement, six months leave under Fundamental Rule 86 may be granted, provided, that in no case is the officer allowed to draw pension before the termination of his leave. (Government of India, E. & H. Department, No. 132, dated the 1st March 1923, received with Government of India, Finance Department, No. 424-C.S.R., dated the 7th March 1923, with Government of India, Finance Department, No. 572-C.S.R., dated the 14th April 1923.)

Government of India's Ruling.—The provisions in sub-clause (b) (vi) (1) [1] and [2] are not applicable to officers of the I.M.S. promoted prior to 13th June 1919, unless such officers elected to come under the Royal Warrant, dated the 13th June 1919, in accordance with paragraph 3 of the Army Department Notification No. 2649, dated the 15th August 1919. (Government of India, E. & H. Department, No. 474, dated the 26th July 1922.)

Audit Instructions.—The period of 5 years referred to in sub-clause (c) (vi) (3) begins to run from the date on which the officer first becomes entitled to draw the full pay of the post, whether holding the post substantively or only in an officiating capacity; provided that, if officiating, he is confirmed in the post without a break of service. (Paragraph 27 of Audit Instructions issued up to 31st of October 1922.)

Audit Instructions.—The period of 5 years referred to in sub-clause (c) (vi) (4) begins from the date on which the officer first takes up the office, whether substantively or temporarily; provided that, if temporarily, he is confirmed without reverting to his substantive post; but the currency of the period is not interrupted by any subsequent temporary promotion to a higher post, *i.e.*, the period of temporary promotion is included in the period of 5 years. (Paragraph 28 of Audit Instructions issued up to 31st October of 1922.)

Audit Instructions.—When a Government servant is required to retire, revert or cease to be on leave on attaining a specified age, the date on which he attains that age is reckoned as a non-working day, and the Government servant must retire, revert, or cease to be on leave (as the case may be) with effect from and including that day. This rule applies to all Government servants, Civil, Military or Naval. (Paragraph 24 of Audit Instructions issued up to 31st October 1922.)

57. The resignation of his office by a member of the Executive Council of the Governor General, of a Governor or a Lieutenant-Governor shall take effect from the date following that of his embarkation at any port in India other than Aden, or from the date of expiry of five years' tenure of office, or from the date of his successor's entry upon office, whichever of these dates be earliest. His five years' tenure shall begin from the date on which he first entered upon office, whether as a temporary member appointed in India or after the issue of His Majesty's warrant of appointment, but shall not include any period, other than a period spent on leave, during which he draws less than full pay.

PART IV.

Chapter X.—Leave.

Section I.—Extent of Application.

58. Unless in any case it be otherwise distinctly provided in section VI of this chapter, the rules in sections I to V of this chapter apply to all Government servants to whom the fundamental rules as a whole apply; provided that it shall be open to any person who is in Government service at the time when the fundamental rules come into force to exercise the option of remaining under the leave rules to which he has hitherto been subject. The intention of exercising this option must be specifically declared to the local Government or the Governor General in Council, as the case may be, within six months of the date on which the fundamental rules come into force or, if the Government servant be on leave on that date, within six months of his return from leave. Every Government servant who does not make such a declaration will become subject to the rules in section I to V of this chapter. The option once exercised is final.

Note.—A similar option may be exercised by the Government servants mentioned in rules 99 and 100.

59. Leave is earned under sections I to V of this chapter by a Government servant holding substantively a permanent post in civil employ, or holding a lien on such a post.

Audit Instructions.—A Government servant, who has been detached for other duty and whose lien on his substantive post has been suspended under Fundamental Rules 13 and 14, continues to earn leave under Sections I to V. (Paragraph 5 of Audit Instructions Circular No. 3, dated the 19th March 1923.)

60. Leave is earned by duty only. For the purpose of this rule a period spent in foreign service counts as duty if contribution towards leave salary is paid on account of such period.

61. A military commissioned officer appointed to a post in civil employ becomes subject to these rules under the following conditions:—

- (a) (i) An officer subject, before such appointment, to the Indian Army Leave Rules, becomes subject to

these rules from the date of first substantive appointment to a post in civil employ or from the date of completion of three years' continuous officiating duty in such service, whichever is earlier. In reckoning continuous duty—

- (1) any period of foreign service, to which transfer was made direct from a civil post, may be included, and
- (2) leave does not operate to break continuity unless the officer has to revert to military employ in order to obtain such leave.

Note.—This rule also applies to commissioned officers transferred from the Army Veterinary Department to Civil Veterinary Department.

- (ii) A continuous service officer of the Royal Engineers becomes subject to these rules from the date of his entry into permanent civil employ or from the date of his election for continuous Indian service, whichever is later.
- (iii) A non-continuous service officer of the Royal Engineers, if he elects for these rules, becomes subject to them from the date of his entry into permanent civil employ or from the date of completion of five years' Indian service, whichever is later.
- (b) Transfer from military service to a post in civil employ, the tenure of which is limited to a definite period, does not entitle an officer to leave under these rules.

Government of India's Rulings.—(1) Administrative Medical Officers will come under this rule from 1st January 1922. Note 7 to Article 35 (a), Civil Service Regulations, will not apply to their case from that date. The limitations of the leave to a total period of 8 months at a time as was previously laid down in paragraph 226, Army Regulations, India, Volume II, should still remain in force. (Government of India, Education Department, No. 246, dated the 5th April 1922.)

(2) In view of the introduction of a revised ruling published in Army Instructions India No. 307, dated 1st May 1923, and embodied in paragraph 813, Army Regulations, India, Volume II (Revised Edition), under which in addition to privilege leave due, the grant of furlough or combined leave not exceeding 8 months is limited to once only during the four years' tenure of a Military administrative appointment, the Government of India decided that in future

Administrative Medical Officers in Civil employ shall only be permitted to take a total of 12 months' leave, if due under the Fundamental Rules, during the four years' tenure of an administrative appointment, subject to the limitation of the leave to a period of 8 months, on any one occasion. Continuous absence from duty in excess of 8 months will involve vacation of the appointment. (Government of India, Education Department, No. 694, dated the 15th September 1923, received with Finance Department, No. 1770-C.S.R., dated the 24th September 1923.)

62. Except as provided in rule 61, a military officer in civil employ remains subject to military leave rules.

63. When a military commissioned officer subject to these rules is temporarily transferred to military duty, but retains a lien on his post in civil employ, the period of his absence counts as duty for leave under these rules.

64. Unless in any case it be otherwise expressly provided by or under these rules, a Government servant transferred to a service or post to which these rules apply from a service or post to which they do not apply is not ordinarily entitled to leave under these rules in respect of duty performed before such transfer; but a Government servant reverting from duty as Judge of a High Court, or as one of the officers specified in rule 98 below, may count such duty for leave as though it were duty performed in a vacation department; all leave taken during the service concerned being treated as taken under these rules.

65. (a) A Government servant who resigns the public service or is discharged from it on reduction of establishment cannot, if re-employed after an interval, count his former service towards leave without the permission of the authority sanctioning the re-employment.

(b) A Government servant who is dismissed or removed from the public service, but is re-instated on appeal or revision, is entitled to count his former service for leave, unless the appellate or reviewing authority declares that he shall not so count it in whole or in part.

Section II.—General Conditions.

66. A local Government may make rules specifying the authorities by whom leave, other than special disability leave under rule 83, may be granted.

S. R. 200. Any leave, other than special disability leave, admissible under the Fundamental Rules may be granted to a non-gazetted Government servant by the authority whose duty it would be to fill up his post if it were vacant.

S. R. 201. No leave may be granted to a gazetted Government servant until a report as to the admissibility of the leave has been obtained from the audit officer.

S. R. 202. On the receipt of such a report, any leave, other than special disability leave, admissible under the Fundamental Rules, may be granted to a gazetted Government servant by a competent authority.

67. Leave cannot be claimed as of right. When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it.

S. R. 203. The Local Government or any authority competent to grant leave may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of a Government servant's return from leave as to cause as little change as possible in administrative arrangements.

The Local Government will not grant leave of any description to an extent which would unduly deplete the strength of a service or department available for active duty. Consequently when the duty strength has been reduced to a point which in the opinion of the Local Government is for the time being an essential minimum, no further leave of any description will be given save in case of the most absolute necessity, such as sickness or most urgent private affairs, until the strength available for duty has increased. In applying this principle, the Local Government may take into special consideration the case of Government servants, who applied for leave on average pay in India, for as they can be readily recalled, if necessary, they stand on a different footing to Government servants, who are out of convenient reach.

NOTE 1.—The Local Government may lay down such conditions as it may consider administratively desirable to check any undue frequency of leave, in the case of Government servants, holding isolated appointments not filled by members of a regularly organised service.

NOTE 2.—When the cadre of a service includes provision for appointments under the Government of India or in another Province, the Local Government should take particular care that the needs of other Governments are properly complied with.

S. R. 204. Applications for leave by Government servants likely to revert from higher pay, should always be scrutinised with special jealousy, and the leave should be granted only when very cogent reasons are adduced. It is not the intention of Government, however, that leave in ordinary circumstances should be granted more sparingly, the general principle being that a Government servant need not be debarred from taking the leave which he has earned at such times and for such periods as may suit the exigencies of the public service.

68. Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed. When joining time is allowed to a Government servant returning from leave out of India, the last day of his leave is the day before the arrival of the vessel in which he returns at her moorings or anchorage in the port of debarkation. A local Government may, however, make rules defining the circumstances in, and the conditions on, which Sundays or other recognized holidays may be prefixed to leave or affixed to leave or joining time.

S. R. 205. Rules defining the conditions on which vacations may be treated as recognised holidays for the purpose of Fundamental Rule 68, which will have effect from 1st January 1922:—

A. In the case of District and Sessions Judges, under the special leave rules, vacations will be treated as recognised holidays provided that—

- (1) no additional expense is incurred by the State for the period of the vacation;
- (2) the total period of absence on average pay (including the vacation but excluding other recognised holidays, whether taken alone or in conjunction with leave on half average pay) does not exceed eight months; and
- (3) the approval of Government is taken in each instance.

B. In the case of District and Sessions Judges, under the ordinary leave rules, vacations will be treated as recognised holidays provided that—

- (1) no additional expense is incurred by the State for the period of the vacation;
- (2) vacation may be added to leave on average pay not exceeding four months if taken by itself. Otherwise, the total period of vacation and leave on average pay should not together exceed four months, provided that if the leave is on medical certificate or is spent elsewhere than in India or Ceylon, the total period of absence on average pay including vacation may extend up to eight months; and
- (3) the approval of Government is taken in each instance.

Rules dealing with the combination of holidays with leave and joining time.

S. R. 206. When the day immediately preceding the day on which a Government servant's leave begins or immediately following the day on which his leave or joining time expires is a holiday or one of a series of holidays, the Government servant may leave his

station at the close of the day before, or return to it on the day following, such holiday or series of holidays: Provided that—

- (a) his transfer or assumption of charge does not involve the handing or taking over of securities or of monies other than a permanent advance;
- (b) his early departure does not entail a correspondingly early transfer from another station of a Government servant to perform his duties; and
- (c) the delay in his return does not involve a corresponding delay in the transfer to another station of the Government servant who was performing his duties during his absence, or in the discharge from Government service of a person temporarily appointed to it.

8. R. 207. On condition that the departing Government servant remains responsible for the monies in his charge, a competent authority may declare that proviso (a) under rule 206 is not applicable to any particular case.

8. R. 208. Unless the competent authority in any case otherwise direct—

- (a) if holidays are prefixed to leave, the leave and any consequent re-arrangement of pay and allowances take effect from the first day after the holidays, and
- (b) if holidays are affixed to leave or joining time, the leave or joining time is treated as having terminated on, and any consequent re-arrangement of pay and allowances takes effect from the day on which the leave or joining time would have ended if holidays had not been affixed.

69. A Government servant on leave may not take any service or accept any employment without obtaining the previous sanction of—

- (a) the Secretary of State, if the Government servant is residing in Europe, North Africa, America or the West Indies; and
- (b) the Governor General in Council, or any lower authority empowered to appoint him, if he is residing elsewhere.

Note.—This rule does not apply to casual literary work, or to service as an examiner or similar employment; nor does it apply to acceptance of foreign service, which is governed by rule 110.

70. All orders recalling a Government servant to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If the return is

optional, the Government servant is entitled to no concession. If it is compulsory, he is entitled—

(a) if the leave from which he is recalled is out of India—

(i) to receive a free passage to India; and, provided that he has not completed half the period of his leave by the date of leaving for India on recall, or three months, whichever period is shorter, to receive a refund of the cost of his passage from India;

(ii) to count the time spent on the voyage to India as duty for purposes of calculating leave; and

(iii) to receive leave-salary during the voyage to India, and for the period from the date of landing in India to the date of joining his post to be paid leave-salary at the same rate at which he would have drawn it had he not been recalled but returned in the ordinary course on the termination of his leave.

(b) if the leave from which he is recalled is in India, to be treated as on duty from the date on which he starts for the station to which he is ordered, and to draw travelling allowance for the journey, but to draw until he joins his post leave-salary only.

Government of India's orders.—Orders recalling a Government servant from leave out of India should be communicated to him through the High Commissioner for India and they should state whether the return to duty is optional or compulsory. (Government of India, Finance Department, No. 331 C.S.R., dated the 29th February 1924.)

71. No Government servant who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in such form as the Governor General in Council, in the case of a Government servant on leave in Asia, or the Secretary of State in Council, in the case of a Government servant on leave elsewhere, may by order prescribe. A local Government may require a similar certificate in the case of any

Government servant who has been granted leave for reasons of health, even though such leave was not actually granted on a medical certificate.

Secretary of State's orders.—The Secretary of State in Council has ordered that a Government servant who has taken leave on medical certificate out of Asia, elsewhere than in Europe, North Africa, America or the West Indies, may not return to duty until he has produced a medical certificate of fitness from two medical practitioners in the following form:—

“We certify that we have carefully examined C.D., of the Department and find that he is in good health and fit to return to his duty in India.

Date .

Place .”

If the certificate be signed by foreigners, it should be attested by consular or other authority as bearing the signature of qualified medical practitioners. (Government of India, Finance Department, Resolution No. 197-C.S.R., dated the 6th March 1922.)

Government of India's orders.—The Governor General in Council has ordered that a Government servant who has taken leave in Asia on medical certificate may not return to duty until he has produced a medical certificate of fitness in the following form:—

“I, A. B., do hereby certify that I have examined C. D. of the Department and that I consider him fit to resume his duties in Government service.”

2. If the Government servant on leave is a gazetted officer, such certificate should be signed by a commissioned medical officer or a medical officer in charge of a civil station. If the Government servant on leave is not a gazetted officer, the authority under which the Government servant will be employed on return from leave may, in its discretion, accept a certificate signed by any registered medical practitioner. (Government of India, Finance Department, No. 1288-C.S.R., dated the 10th January 1922.) These rules are in force in Bengal.

Audit Instructions.—The term “Government servant” in line 1 of this rule, applies to a permanent Government servant only. (Paragraph 1, Audit Instructions Circular No. 10, dated the 15th December 1923.)

S. R. 209. Any Government servant, who has been granted leave or extension of leave for reasons of health, even though such leave or extension was not actually granted on medical certificate, may, at the discretion of the authority under which the Government servant will be employed on return from leave, be required to produce a similar certificate of fitness before being permitted to return to duty.

72. Unless he is permitted to do so by the authority which granted his leave, a Government servant on leave may not return to duty more than fourteen days before the expiry of the period of leave granted to him.

S. R. 210. A Government servant returning to duty at a time other than that fixed for him by the authority which granted him leave, has no claim to resume as a matter of course, without further orders, the particular post which he vacated before his leave, and is liable to be kept on subsistence grant until a suitable vacancy occurs.

73. A Government servant who remains absent after the end of his leave is entitled to no leave-salary for the period of such absence, and that period will be debited against his leave account as though it were leave on half average pay, unless his leave is extended by the local Government. Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of rule 15.

S. R. 211. Short extensions of leave may be granted retrospectively in India to Government servants who under certain specified circumstances overstay their leave.

S. R. 212. In the case of leave in Europe, North Africa, America or the West Indies, the authority in India by which the leave was originally granted, in any case in which it is satisfied that the non-return of a Government servant within the period of his leave was due to circumstances beyond his control, and of such a nature that an application to the High Commissioner for an extension was impossible before embarkation, or that non-return was for administrative convenience, is empowered to sanction retrospectively extensions of leave up to a maximum period of 14 days. It is also empowered, in the case of a Government servant returning from leave on medical certificate, to sanction an extension, if the circumstances seem to require it, up to a maximum of 14 days, inclusive of any short extension that may have been granted by the High Commissioner.

74. (a) Subject to any instructions which may be given by the Governor General in Council in connection with the control of the issue of money from treasuries or by the Auditor General in India in order to secure efficiency and uniformity of audit, a local Government may make rules prescribing the procedure to be followed in India—

(i) in making application for leave and for permission to return from leave,

(ii) in granting leave,

- (iii) in the payment of leave-salary, and
- (iv) in the maintenance of records of service.

(b) The procedure to be followed elsewhere than in India will be prescribed by the Governor General in Council.

Auditor General's Instructions.—The instructions issued by the Auditor General under Fundamental Rule 74 (a) are given in Appendix No. 18.

Government of India's Instructions.—The rules prescribed by the Governor General in Council under Fundamental Rule 74 (b) regarding the procedure in connection with leave to be followed elsewhere than in India are given in Appendix No. 19. (Government of India, Finance Department, No. 2-C.S.R., dated the 14th January 1922.)

Rules prescribing the leave procedure.

S. R. 213. (1) The Auditor General having prescribed under Fundamental Rule 74 the form for the maintenance of the leave accounts of all Government servants, the form is standardized as Fundamental Rule form No. 9 and it is directed that the leave account of each non-gazetted officer and menial, who has not elected to remain under the old rules, shall be kept in that form, which should be attached to his service book or service roll. Such leave accounts should be compiled before the officer concerned next goes on leave. The local inspecting staff under the Accountant-General, Bengal, will call for and check these accounts from time to time.

(2) In the case of Government servants under the ordinary leave rules two *pro forma* accounts of leave on full average pay will have to be kept, one—which includes leave on medical certificate or spent outside India or Ceylon, and the other which excludes such leave.

It is not necessary, however, that two *pro forma* accounts of leave on average pay should be opened on separate pages of the leave account. The column "leave taken on average pay" in the prescribed form can be used for leave on medical certificate or spent outside India or Ceylon, and the leave on average pay other than such leave being worked out in any spare space available either in the last column or elsewhere.

S. R. 214. (a) The leave-account of a gazetted Government servant shall be maintained by, or under the direction of, the principal auditor responsible for the audit of his pay.

(b) The leave-account of a non-gazetted Government servant shall be maintained by the head of the office in which he is employed.

S. R. 215. Every application for leave or for an extension of leave should be sent to the competent authority through the intermediate superior, if any, of the Government servant applying for leave. In

the case of gazetted Government servants, the application should be sent through the principal auditor. The application of a Government servant in foreign employ should also be sent through the audit officer who accounts for the contribution recovered from the foreign employer.

S. R. 216. An application for leave by a chaplain must be forwarded, through the proper channel, to the Bishop of the Diocese or to the Presidency Senior Chaplain of the Church of Scotland in Bengal, as the case may be, who will transmit it with his remarks to Government for orders in case it is not within his competence to sanction the leave. In cases of urgency leave on medical certificate may be granted by Government in anticipation of the concurrence of the Bishop or Presidency Senior Chaplain, who should however be informed without delay.

S. R. 217. An application by a commissioned medical officer in permanent or temporary civil employ for leave exceeding four months, other than leave on medical certificate, or for an extension of such leave, must be submitted to the local administrative medical officer, by whom it will be forwarded to the Director-General, Indian Medical Service. The Director-General will countersign the application, if the state of the public service admits of the grant of the leave; otherwise, he will abstain from countersigning it. In either case, he will forward the application for disposal to the authority competent to grant the leave. (Transferred.)

S. R. 218. A Government servant transferred to foreign service must, before taking up his duties in foreign service, make himself acquainted with the rules or arrangements which will regulate his leave during such service.

Section III.—Medical certificates.

S. R. 219. Medical officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties. In such cases, the opinion that the Government servant is permanently unfit for Government service should be recorded in the medical certificate.

General rules.

S. R. 220. Every certificate of a medical committee or a medical officer recommending the grant of leave to a Government servant must contain a proviso that no recommendation contained in it shall be evidence of a claim to any leave not admissible to the Government servant under the terms of his contract or of the rules to which he is subject.

S. R. 221. Before a gazetted Government servant can be granted leave, or an extension of leave, on medical certificate, he must obtain a certificate in the following form or as nearly in that form as the circumstances permit:—

Procedure in the case of gazetted Government servants.

“I, A.B., Surgeon at (or of).....do hereby certify that C. D. of the.....service (or Department), is in a bad state of health, and I solemnly and sincerely declare that, according to the

best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to....."

This certificate should be accompanied by a statement of the Government servant's case in such form as the local Government may prescribe.

S. R. 222. Having secured such a certificate, the Government servant must, except in cases covered by rule 225, obtain the permission of the head of his office or, if he himself is the head of an office, of the head of his department to appear before a medical committee. He should then present himself with two copies of the statement of his case before such a committee. The committee will be assembled under the orders of the administrative medical officer of the province who will, where practicable, preside over it. The committee will be assembled either at the headquarters of the province or at such other place as the local Government may appoint.

S. R. 223. Before the required leave or extension of leave can be granted, the Government servant must obtain from the committee a certificate to the following effect:—

"We do hereby certify that, according to the best of our professional judgment, after careful personal examination of the case, we consider the health of C. D. to be such as to render leave of absence for a period of.....months absolutely necessary for his recovery."

S. R. 224. Before deciding whether to grant or refuse the certificate, the committee may, in a doubtful case, detain the applicant under professional observation for a period not exceeding fourteen days. In that case it should grant to him a certificate to the following effect:—

"C. D. having applied to us for a medical certificate recommending the grant to him of leave, we consider it expedient, before granting or refusing such a certificate, to detain C. D. under professional observation for.....days."

S. R. 225. If the state of the applicant's health is certified by a commissioned medical officer of Government or by a medical officer in charge of a civil station to be such as to make it inconvenient for him to present himself at any place in which a committee can be assembled, the authority competent to grant the leave may accept, in lieu of the certificate prescribed in rule 223, either—

- (a) a certificate signed by any two medical officers, being commissioned medical officers or medical officers in charge of civil stations, in whatsoever province they may be serving; or
- (b) if the authority considers it unnecessary to require the production of two medical opinions, a certificate signed by an officer in medical charge of a civil station and countersigned by the Collector of the District or the Commissioner of the Division.

S. R. 226. The grant of a certificate under rule 223 or 225 does not in itself confer upon the Government servant concerned any

right to leave. The certificate should be forwarded to the authority competent to grant the leave and the orders of that authority should be awaited.

S. R. 227. An application by a non-gazetted Government servant in superior service for leave, or for an extension of leave, on medical certificate, must be accompanied by a certificate from the applicant's medical attendant. Such certificate should distinctly state the nature of the illness, its symptoms, probable causes and duration, and the period of absence from duty considered to be absolutely necessary for the restoration of the applicant's health. It should be countersigned by a Presidency Surgeon, if the applicant is in a Presidency town; otherwise, by the officer in chief medical charge of the district in which the applicant resides. The authority competent to grant the leave may, however, in its discretion accept a certificate from the applicant's medical attendant without such countersignature; or, if the applicant be a female, may either dispense with countersignature or accept the countersignature of any female medical practitioner.

Procedure in the case of non-gazetted Government servants in superior service.

NOTE.—Medical certificates granted to non-gazetted Government servants by registered medical practitioners, whose names are borne on the Annual Medical List, published under section 32 of the Bengal Medical Act, 1914, shall be accepted without countersignature of a Civil or Presidency Surgeon. If, however, the authority has reasons to doubt the genuineness or veracity of any such certificate, he may direct the Government servants applying for leave to appear before the Civil Surgeon or the Presidency Surgeon, as the case may be, for examination, and may deal with the case on the report of the latter.

S. R. 228. No certificate should be submitted for countersignature without the cognizance of the head of the office in which the applicant is serving.

S. R. 229. The countersigning officer may, in his discretion, require the applicant to appear before him, unless it appears from the certificate of his medical attendant that he is too ill to bear the journey. In the latter case, the officer may, after careful investigation of the case, either countersign the certificate or refuse to do so, as he thinks fit.

Procedure in the case of non-gazetted Government servants in inferior service.

S. R. 230. In support of an application for leave, or for an extension of leave on medical certificate from a non-gazetted Government servant in inferior service, the authority competent to grant the leave may accept such certificate as it may deem sufficient.

Section IV.—Grant of leave.

S. R. 231. In cases where all applications for leave cannot, in the interests of the public service, be granted, an authority competent to grant leave should, in deciding which application should be granted, take into account the following considerations:—

- (a) The Government servants who can, for the time being, best be spared.
- (b) The amount of leave due to the various applicants.
- (c) The amount and character of the service rendered by each applicant since he last returned from leave.

- (d) The fact that any such applicant was compulsorily recalled from his last leave.
- (e) The fact that any such applicant has been refused leave in the public interests.

(Reserved.)

NOTE.—Grant of leave on private affairs to the men of the Military Police is subject to the condition that the number absent on leave on half average salary, whether on medical certificate or not, does not exceed 5 per cent. of the Battalion from 15th October to 15th April, and 10 per cent. from 16th April to 14th October.

S. R. 232. When a medical committee in India has reported that there is no reasonable prospect that a particular Government servant will ever be fit to return to duty, leave should not necessarily be refused to such Government servant. It may be granted, if due, by a competent authority on the following conditions:—

- (a) If the medical committee is unable to say with certainty that the Government servant will never be fit for service in India again, leave not exceeding twelve months in all may be granted. Such leave should not be extended without a further reference to a medical committee.
- (b) If the medical committee declares the Government servant to be completely and permanently incapacitated for further service in India, the Government servant should, except as provided in clause (c) below, be invalided from the service either on the expiration of the leave already granted to him, if he is on leave when examined by the committee, or, if he is not on leave, from the date of the committee's report.
- (c) A Government servant declared by a committee to be completely and permanently incapacitated may, in special cases, be granted leave, or an extension of leave, not exceeding six months as debited against the leave-account, if such leave be due to him. Special circumstances justifying such treatment may be held to exist when the Government servant's breakdown in health has been caused in and by Government service, or when the Government servant has taken a comparatively small amount of leave during his service or will complete at an early date an additional year's service for pension.

S. R. 233. Leave should not be granted to a Government servant who ought at once to be dismissed or removed from Government service for misconduct or general incapacity.

S. R. 234. If, in a case not covered by rule 233, an authority competent to remove a Government servant from service decides, before such Government servant departs from India on leave, that he will not be permitted to return to duty in India, it must inform him to that effect before he leaves India.

S. R. 235. If, when a Government servant is about to depart from India on leave, it is necessary to consider the propriety of removing him for incapacity, whether mental or physical, which is

of such a nature that it is impossible to decide, before he leaves India, whether it will be permanent or temporary; or if for any reason it is considered inexpedient that a Government servant on leave should return to India, a full report of the circumstances must be made by the local Government to the India Office in time to enable the Secretary of State in Council to take any necessary measures before the Government servant would in the ordinary course be permitted to return to duty. The report should, in any case, reach the India Office at latest three months before the end of the Government servant's leave.

S. R. 236. The abolition of the substantive post of a Government servant absent on leave out of India should be immediately communicated to the High Commissioner.

S. R. 237. When leave on medical certificate has been granted to a Government servant or, in the case of a military officer in civil employ, when the grant of such leave has appeared in orders, if such Government servant or military officer proposes to spend his leave in Europe, North Africa, America or the West Indies, the local Government must without delay forward a copy of the medical statement of the case to the High Commissioner for India.

S. R. 238. Leave not due shall not be granted on medical certificate under clause (a) (ii) (2) of Fundamental Rule 104 for a period extending beyond the term of a Government servant's contract, unless or until it has been decided to retain him in permanent employment.

Section V.—Departure on leave.

S. R. 239. Every Government servant proceeding on leave out of India should procure from the audit officer and take with him a copy of the memorandum of information issued for the guidance of Government servants proceeding on leave out of India. If the leave has been granted on a medical certificate, he must take a copy of the medical statement of his case also.

S. R. 240. A Government servant taking leave out of India must report his embarkation, through the audit officer, to the authority which granted his leave in such form as the Auditor General may prescribe.

Section VI.—Return from leave.

S. R. 241. A gazetted Government servant, on return from leave, must report his return to the Government under which he is serving. A chaplain must report his return to the Bishop of his diocese also.

S. R. 242. (a) A Government servant returning from leave is not entitled, in the absence of specific orders to that effect, to resume as a matter of course the post which he held before going on leave. He must report his return to duty and await orders.

(b) A Government servant, who has been on leave in Europe, must on return to India deliver to the Audit Officer the Last Pay Certificate obtained by him from the High Commissioner, before he can obtain payment of any arrears of leave salary or pay due to him. A Government servant who has drawn his leave salary on a warrant must deliver his copy of the Warrant which will serve as a Last Pay Certificate.

Section VII.—Commencement of leave.

S. R. 243. Unless specially otherwise ordered, leave must begin within 35 days of the date on which it is granted.

Rules prescribing the procedure to be followed in the maintenance of records of service of Government servants under clause (a) (iv), Fundamental Rule 74.

Gazetted Government servants.

S. R. 244. A record of the services of a gazetted Government servant will be kept by the Principal Auditor of the Province who audits his pay and in such form as the Auditor General may prescribe.

S. R. 245. A service book in such form as the Auditor General may prescribe must be maintained for every non-gazetted Government servant holding a substantive post on a permanent establishment with the following exceptions:—

- (Transferred.) (a) Sub-Registrars whose service registers are maintained by the Inspector-General of Registration.
- (Reserved.) (b) Police servants of rank not higher than Assistant Sub-Inspectors.
- (c) Inferior servants of all sorts.

S. R. 246. In all cases in which a service book is necessary under rule 245 such a book must be supplied for a Government servant, at his own cost, on his first appointment to Government service. It must be kept in the custody of the head of the office in which he is serving and transferred with him from office to office.

S. R. 247. Every step in a Government servant's official life must be recorded in his service book, and each entry must be attested by the head of his office or, if he himself is the head of an office, by his immediate superior. The head of the office must see that all entries are duly made and attested, and that the book contains no erasure or overwriting, all corrections being neatly made and properly attested.

S. R. 248. Every period of suspension from employment and every other interruption of service must be noted, with full details of its duration, in an entry made across the page of the service book and must be attested by the attesting officer. It is the duty of the attesting officer to see that such entries are promptly made.

S. R. 249. Personal certificates of character must not, unless the head of the department so directs, be entered in a service book, but if a Government servant is reduced to a lower substantive post, the reason of the reduction must be briefly shown.

S. R. 250. It is the duty of every Government servant to see that his service book is properly maintained as prescribed in rule 247, in order that there may be no difficulty in verifying his service for pension. The head of the office should therefore permit a Government servant to examine his service book should he at any time desire to do so.

S. R. 251. When a non-gazetted Government servant is transferred, whether permanently or temporarily, from one office to another, the necessary entry of the nature of the transfer should be made in his service book, which, after being duly verified to date and attested by the head of that office, should be transmitted to the head of the office to which the Government servant has been transferred who will thenceforward have the book maintained in his office.

S. R. 252. When a non-gazetted Government servant is officiating in a gazetted post, his service book should be kept by the head of the office to which he permanently belongs, but when he takes leave while so officiating, his service book should be forwarded to the audit officer for reporting admissibility of the leave. When he is confirmed, the service book should be permanently sent to the audit office.

S. R. 253. If a Government servant is transferred to foreign service, the head of his office or department must send his service book to such audit officer as the Auditor General may prescribe. The audit officer will return it after noting in it, over his signature, the order sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particulars which he may consider to be necessary. On the Government servant's re-transfer to Government service, his service book must again be sent to the audit officer, who will then note in it, over his signature, all necessary particulars connected with the foreign service. No entry relating to the time spent in foreign service may be attested by any authority other than the audit officer.

S. R. 254. A service-roll in which the following particulars should be recorded, must be maintained for every other class of non-gazetted Government servants holding substantive appointments on a permanent establishment for whom no service book is necessary:—

- (a) The date of his appointment.
- (b) His caste, tribe, village, age, height and marks of identification when appointed.
- (c) The posts which he from time to time holds; his promotions, and his reductions or other punishments.
- (d) His absences from duty, with or without leave.

- (e) Interruptions in his service.
- (f) Every other incident in his service which may involve forfeiture of a portion of it or may affect the amount of his pension.

Every entry in the roll must be signed by the head of the office.

Service-roll a.
(Reservcd.)

S. R. 255. In the case of policemen of rank not higher than that of Assistant Sub-Inspectors, there must be maintained for each district by the Superintendent of Police a service-roll in English, in which the following particulars should be recorded for each man holding substantively a permanent post in the constabulary:—

- (a) The date of his enrolment.
- (b) His caste, tribe, village, age, height and marks of identification when enrolled.
- (c) The rank which he from time to time holds; his promotions, and his reductions or other punishments.
- (d) His absences from duty, with or without leave.
- (e) Interruptions in his service.
- (f) Every other incident in his service which may involve forfeiture of a portion of it or may affect the amount of his pension.

From this roll the necessary statement of service of every applicant for pension shall be prepared, additional proofs being collected, in respect of any service rendered before enrolment in the constabulary which the applicant may be entitled to count.

The roll must be checked by the vernacular roll and order book and the punishment register and every entry in it must be signed by the Superintendent of Police.

S. R. 256. A service-roll as described in rule 254 must be maintained for every other class of non-gazetted Government servants holding substantive appointments on a permanent establishment for whom no service book is necessary.

S. R. 257. (a) The service book may be given up to the Government servant if he resigns or is discharged from the service without fault, an entry to this effect being first made in the service book or, in the event of a Government servant's service terminating by his death, to his relatives on application. Should no application be made within 6 months of the death of the Government servant, the service book may be destroyed.

(b) When a Government servant's service is terminated by dismissal, his service book should be retained for a period of 5 years or until the Government servant's decease, whichever is earlier, after which it will be destroyed.

(c) The service book of a Government servant who has been dismissed and who is afterwards re-instated should, on requisition, be returned to the head of the office in which he is re-employed.

Section III.—Special and Ordinary Leave Rules.

75. (1) All Government servants who are not hereinafter declared to be subject to the special leave rules shall be subject to the ordinary leave rules.

(2) The following Government servants shall be subject to the special leave rules, namely:—

(a) Any Government servant having at the time of his appointment his domicile elsewhere than in Asia:

Provided that no such Government servant shall be entitled to the benefits of the special leave rules who, prior to such appointment, has, for the purpose of his appointment to any office under the Government or of the conferment upon him by the Government of any scholarship, emoluments, or other privilege, claimed or been deemed to be a native of India.

(b) Any Government servant having at the time of his appointment his domicile in Asia who, prior to the 24th July 1923, had been admitted to the benefits of the European Services Leave Rules under the Civil Service Regulations, or who, between the 1st January 1922 and the 24th July 1923, held a post which would have entitled him to such admission had he been subject to the Civil Service Regulations; and

(c) Any Government servant having at the time of his appointment his domicile in Asia who, prior to the 24th July 1923, held substantively an appointment in a department in which the attainment of a certain rank or a certain rate of pay entitled the officer to admission to the benefits of the European Services Leave Rules under the Civil Service Regulations:

Provided that such a Government servant shall only be entitled to the benefits of the special leave rules when he attains that rank or rate of pay:

Provided further that the concession allowed by clause (c) of this rule is not admissible to a Government servant who attains such rank or rate of pay by reason of being promoted by selection from a subordinate service or post after the 24th July 1923.

Audit Instruction.—A Government servant who becomes eligible to the Special Leave Rules while he is on leave under the Ordinary Leave Rules may, from the date he becomes so eligible, change the balance of his leave to leave under the Special Leave Rules. (Paragraph 1 of Audit Instruction Circular No. 12, dated the 15th February 1924.)

75A. For the purpose of rule (2) of rule 75 the domicile of a person shall be determined in accordance with the provisions set out in the Schedule to these rules:

Provided that a person who was born and has been educated exclusively in Asia and has not resided out of Asia for a total period exceeding six months shall be deemed to have his domicile in Asia.

75B. No Government servant who, after his appointment to a service or post acquires a new domicile, shall thereby lose his right to, or become entitled to admission to, the benefits of the special leave rules.

75C. If any question arises as to the domicile of any Government servant at the time of his appointment, the decision thereon of the Secretary of State in Council in the case of persons appointed by him, of the Governor General in Council in the case of persons appointed by him, or of the local Government in the case of persons appointed by them, shall be final.

Section IV.—Grant of leave.

76. A leave account shall be maintained for each Government servant in terms of leave on average pay.

Secretary of State's Orders.—A separate account should be kept of the leave earned by a Government servant serving under a Government and then transferred to another Government and all leave taken after the date of transfer should be debited to this account so long as the balance under it is not exhausted, and the allowances drawn during all leave, which is so debited should be charged to that Government. (Secretary of State's telegram No. 59-C.S.R., dated the 12th January 1921, received with Government of India, Finance Department, No. 970 C.S.R., dated the 22nd September 1921.)

Audit Instructions.—Fractions of a day should not appear in the leave account, fractions below $\frac{1}{2}$ should be ignored, and those of $\frac{1}{2}$ or more should be reckoned as one day. (Paragraph 30 of Audit Instructions issued up to 31st October 1922.)

77. (a) In the leave account of a Government servant who on his entry into Government service becomes subject to these rules, shall be credited :—

- (i) if he be under the special leave rules, five-twenty-seconds of the period spent on duty; and
- (ii) if he be under the ordinary leave rules, two-elevenths of the period spent on duty.

(b) In the leave account of a Government servant who is already in Government service when he becomes subject to these rules shall be credited :—

(i) if he be under the special leave rules—

- (1) the privilege leave which it would, on the date on which he becomes subject to these rules, be permissible to grant to him under the rules in force prior to that date: *plus*
- (2) one-eighth of the period spent on duty or on privilege leave prior to that date: *plus*
- (3) five-twenty-seconds of the period spent on duty subsequent to that date.

(ii) if he be under the ordinary leave rules—

- (1) the privilege leave which it would, on the date on which he becomes subject to these rules, be permissible to grant to him under the rules in force prior to that date: *plus*
- (2) one-twelfth of the period spent on duty or on privilege leave prior to that date: *plus*
- (3) two-elevenths of the period spent on duty subsequent to that date.

(c) In the case of a military commissioned officer who becomes subject to these rules, the credit under (b) (i) (2) above shall be in respect of the period of his service in India.

Note.—A commissioned officer transferred from the Army Veterinary Department to the Civil Veterinary Department shall be considered, for the purposes of this rule, to have been subject to the Indian Army Leave Rules from the date of his arrival in India on his last tour of service.

(d) Any other Government servant transferred permanently from military to civil employ is entitled to a credit

to his leave account based on such portion of his military duty as, under the rules for the time being in force, is permitted to count for pension.

(e) A statutory civil servant or a Government servant who is subject, at the time when these rules come into force, to the Indian Service Leave Rules which were in force in January 1920, is entitled to credit to his leave account, in addition to the periods admissible under clause (b) above, one-third of any period of leave on medical certificate taken under the former rules.

Audit Instructions.—(1) Five-twenty-seconds of the period spent on duty should be calculated thus:—The amount of duty as expressed in terms of years, months and days should be multiplied by 5, and the product divided by 22. In this process of multiplication and division a month should be reckoned as equal to 30 days.

Two-elevenths of the period spent on duty should also be calculated similarly. (Paragraph 31 of Audit Instructions issued up to 31st October 1922.)

(2) The expression “period spent on duty” in clauses (b) (i) (2) and (b) (ii) (2) of this rule includes also periods of subsidiary leave taken under the rules in force prior to 29th July 1920. (Paragraph 2, Audit Instruction Circular No. 4, dated the 28th May 1923.)

(3) In calculating the leave admissible to Government servants subject to the ordinary leave rules for a part of their service, and to the special leave rules for the remainder of their service, the periods spent on duty, under each of these rules, should be taken separately and the calculation of the leave admissible in respect of each of these periods should be made separately. According to this interpretation of the rule, the amount of leave that will be credited to the leave account of a Government servant, who was originally under the Indian Service Leave Rules and then came under the European Service Leave Rules, will, under Fundamental Rule 77 (b) be: (1) the privilege leave which it would, on the date on which he becomes subject to the Fundamental Rules, be permissible to grant to him under the rules in force prior to that date, *plus* (2) one-twelfth of the period spent on duty or on privilege leave during the period he was under the Indian Service Leave Rules, *plus* (3) one-eighth of the period spent on duty or on privilege leave during the period he was subject to the European Service Leave Rules prior to the date of his coming under the Fundamental Rules, *plus* (4) five-twenty-seconds of the period spent on duty subsequent to the date of his coming under the Fundamental Rules. The concession in Fundamental Rule 77 (e) should also be allowed, subject to the proviso that the total leave so credited under Fundamental Rule 77 (b) (ii) should not exceed what would have been admissible had the Government servant been under the European Service Leave Rules from the beginning of his service. (Paragraph 2, Audit Instructions Circular No. 5, dated the 26th June 1923.)

Government of India's decisions.—(1) The Government of India have decided that special war leave which was at the credit of Military officers, who are appointed substantively to the Civil Department under Army Instructions, India, No. 106 of 1920, may be credited to their leave account on condition that it is taken before 31st December 1922. Officers who have taken leave after 1st January 1921, may substitute for portion of it any special war leave which may become admissible to them as the result of these orders. (Government of India, Finance Department, No. 1174-C.S.R., dated the 16th October 1922.)

(2) The Government of India have decided that it was not the intention that the privilege leave admissible in cases of urgent necessity under Article 271, Civil Service Regulations, should be carried into the leave account under the Fundamental Rules. Such privilege leave is not leave due, though it may be granted under certain circumstances. When urgent necessity arises, Fundamental Rule 82 (c) permits an increase of the leave on the credit side by one month for every two years of duty. In this manner the period of duty rendered before 1st January 1922, which would have counted for leave under Article 271, Civil Service Regulations, will likewise be reckoned as duty, for the calculation of leave permissible in cases of urgent necessity after 1st January 1922. Thus existing rights are safeguarded. (Government of India, Finance Department, No. 448-C.S.R., dated the 20th March 1923.)

S. R. 258. The Local Government have decided that temporary and officiating service rendered under another Government, whether Central or Provincial, will, if followed by confirmation of the officers under the Bengal Government, be taken into account for the purpose of the leave account maintained under the Fundamental Rules, provided that, under the rules laid down by the other Government, such service would have counted had the Government servant in question continued in the service of that Government without a break till confirmation.

78. The amount of leave debited against a Government servant's leave account is—

- (a) the actual period of leave on average pay, and
- (b) half the period of leave on half or quarter average pay or on leave-salary equal to subsistence grant under the note to rule 88.

Note 1.—No privilege leave taken under the former Civil Leave Rules, or by a military officer under the British or Indian Army Leave Rules before coming under civil rules, is to be debited under (a) above.

Note 2.—(i) Under (b) above are to be debited—

- (a) Furlough, leave on medical certificate and special leave with allowances taken under either the European Service Leave Rules or the Indian Service Leave Rules as they stood before these rules came into force.
- (b) In the case of a military officer, leave in and out of India on less than full pay earned by service in India under the British or Indian Army Leave Rules but the debit shall not exceed the credit given under rule 77(c) above.

(ii) In the case of a member of the Indian Civil Service or a military commissioned officer subject to these rules, or a Chaplain on the Indian Ecclesiastical Establishment, special leave with allowances taken under rules previously in force, and leave not due taken under these rules, up to a combined maximum of three months reckoned in terms of leave on average pay, shall not be so debited.

Note 3.—In cases covered by rule 77(d), the leave taken during the period of duty on which the credit to the leave account is based is to be debited as prescribed in notes 1 and 2 above.

Government of India's Ruling.—Leave “not due” taken under Note 2 (ii), whether on medical certificate or not, should not up to a maximum of 3 months expressed in terms of leave on average pay be debited to the leave account of a member of the Indian Civil Service or a military commissioned officer subject to the Fundamental Rules. (Government of India, Finance Department, No. 622-C.S.R., dated the 20th April 1923.)

79. When a Government servant, who has previously been subject to the ordinary leave rules, is admitted to the benefits of the special leave rules, no change shall be made in the amount of leave previously credited and debited to his account, but he shall be entitled to the maximum amount of leave prescribed in rule 81 (a) (i).

80. The amount of leave due to a Government servant is the balance of leave at his credit in the leave account.

81. Leave may be granted to a Government servant at the discretion of the authority entitled to grant the leave subject to the following restrictions:—

(a) The maximum amount of leave which may be granted, expressed in terms of leave on average pay, is the privilege leave which it would be permissible to grant to the Government servant in question, on the date on which he becomes subject to these rules, under the rules applicable to him prior to that date; *plus*

• one-eleventh of the period spent on duty subsequent to that date: *plus*—

(i) in the case of Government servants under the special leave rules, three years; or

(ii) in the case of Government servants under the ordinary leave rules, two and a half years.

(b) The maximum amount of leave on average pay which may be granted is—

(i) To a Government servant under the special leave rules, eight months at any one time, and, in all,—

the privilege leave which it would, on the date
 * on which he comes under these rules, be permissible to grant to him under the rules applicable to him prior to that date: *plus* one-eleventh of the period spent on duty subsequent to that date: *plus* one year.

(ii) To a Government servant under the ordinary leave rules, four months at any one time, and, in all,—

the privilege leave which it would, on the date on which he comes under these rules, be permissible to grant to him under the rules in force prior to that date: *plus* one-eleventh of the period spent on duty subsequent to that date:

provided that, in the case of a Government servant subject to the ordinary leave rules, who either takes leave on medical certificate or spends his leave elsewhere than in India or Ceylon, the maxima prescribed in sub-clause (i) of this clause shall apply.

Note.—In the case of a Government servant who is entitled, under orders previously in force, to privilege leave for more than four months, the number of months to be taken at one time as prescribed in sub-clauses (i) and (ii) above may be increased, on the first occasion when leave is taken under these rules, by the number of months by which the amount of privilege leave due exceeds four months.

(c) Leave not due may be granted subject to the following conditions:—

(i) on medical certificate, without limit of amount; and

(ii) otherwise than on medical certificate, for not more than three months at any one time and six months in all, reckoned in terms of leave on average pay.

- (d) The maximum period of continuous absence from duty on leave granted otherwise than on medical certificate is twenty-eight months.
- (e) When a Government servant returns from leave which was not due and which was debited against his leave account, no leave will become due to him until the expiration of a fresh period spent on duty sufficient to earn a credit of leave equal to the period of leave which he took before it was due.

Audit Instructions and Orders.—(1) Under the proviso to sub-clause (b) (ii), if a Government servant on leave under the ordinary leave rules produces a medical certificate or proceeds out of India or Ceylon during his leave, the period of leave on average pay that may be granted in excess of the period up to 4 months ordinarily admissible should be limited to the period actually covered by the medical certificate, or spent elsewhere than in India or Ceylon, subject to the total maximum limit of 8 months on average pay admissible at one time.

If leave on average pay is applied for after a Government servant has had leave on half average pay in continuation of a period of leave on average pay, either by production of a medical certificate, or by a Government servant proceeding out of India or Ceylon, the entire period of leave on average pay may be treated as forming one continuous spell of leave, *i.e.*, the period of leave on half average pay to the extent to which it is subsequently granted may be commuted into leave on average pay. (Paragraph 33 of Audit Instructions issued up to 31st October 1922.)

(2) A Government servant under the ordinary leave rules can have leave on full average pay without medical certificate or without proceeding outside India or Ceylon only to the extent of privilege leave at his credit on 1st January 1924 *plus* one-eleventh of the period spent on duty subsequent to that date in all and up to a maximum of 4 months at one time (but see the note under Fundamental Rule 81). If however he produces a medical certificate or spends his leave outside India or Ceylon, leave on full average pay may be granted to him up to the maximum prescribed in sub-clause (1) of clause (b) of Fundamental Rule 81, provided that he has sufficient leave at his credit in his leave account. (Auditor-General's No. 1136-A-398-23, dated the 16th November 1923.)

(3) A Government servant subject to the ordinary leave rules—

- (a) may be granted leave on average pay at one time on medical certificate or on the condition that the leave is spent elsewhere than in India or Ceylon, up to the amount due but not exceeding 8 months;
- (b) may be granted leave on average pay *in all* equal to the privilege leave which it would, on the date on which he comes under the Fundamental Rules, be permissible to grant to him, under the rules applicable to him prior to that date

plus one-eleventh of the period spent on duty subsequent to that date, *plus* any period of leave on average pay taken on medical certificate or spent elsewhere than in India or Ceylon subject to a maximum of one year. (Auditor-General's No. 372-A-89-23, dated the 10th March 1923.)

(4) When the privilege permitted by Fundamental Rule 82 (c) is exercised, the additional leave permissible under that clause becomes a "leave due," and thus acquires a character different from the leave not due which may be granted under Fundamental Rule 81 (c). Leave under this rule and under Fundamental Rule 82 (c) may be granted in conjunction. (Auditor-General's letter No. 648-A-172-23, dated the 16th May 1923.)

(5) The limit of 28 months of continuous absence prescribed in Fundamental Rule 81 (d) should be held to be inclusive of any period of vacation with which the leave is combined. (Auditor-General's No. T/223-A-217-23, dated the 7th June 1923. Paragraph 1 of Audit Instruction Circular No. 6, dated the 6th July 1923.)

(6) Leave not due referred to in Rule 81(c) may not be granted to a Government servant, unless there is prospect of his returning to duty and earning leave equivalent to the "amount of leave not due" which he has taken. This condition does not however apply in the case of an I. C. S. or a Military Commissioned Officer who takes leave not due up to a maximum limit prescribed in Note 2 (ii) under Fundamental Rule 78. (Paragraph 3 of Audit Instruction Circular No. 16, dated the 16th June 1924.)

(7) The expression "continuous absence from duty on leave" occurring in Rule 81 (d) does not include absence on extraordinary leave. (Paragraph 5 of Audit Instruction Circular No. 16, dated the 16th June 1924.)

82. The following provisions apply to vacation departments only:—

- (a) A local Government may make rules specifying the departments or parts of departments, which should be treated as vacation departments, and the conditions in which a Government servant should be considered to have availed himself of a vacation.

Rules regarding Vacation Department.

S. R. 259. (a) A vacation department is a department or part of a department to which regular vacations are allowed during which Government servants serving in the department are permitted to be absent from duty.

(b) The following classes of Government servants serve in Vacation Departments when the conditions of (a) are fulfilled:—

- (i) Judicial Officers, including the Officers of the High Court.

(Reserved.)

NOTE.—District and Sessions Judges are not treated as belonging to a Vacation Department.

- (Transferred.) (ii) Educational officers other than Inspecting Officers and their establishments.
- (iii) Officers of Industrial Schools.
- (iv) All Professors of the School of Tropical Medicine, Calcutta, Biological and Physiological Professors and Professors of Anatomy and Physics of the Calcutta Medical College.
- (v) Officers of the Bengal Veterinary College.
- (vi) Any other class of Government servants which the Local Government may declare so serving.
- (c) In case of doubt, the Local Government may decide whether or not a particular Government servant is serving in a Vacation Department.

S. R. 260. A Government servant serving in a Vacation Department shall be considered to have availed himself of a vacation or a portion of a vacation, unless he has been required, by general or special order of a higher authority, to perform duty of any kind during such vacation or portion thereof; provided that, if he has been prevented by such an order from enjoying more than 15 days of the vacation he shall be considered to have availed himself of no portion of the vacation.

- (b) Vacation counts as duty, but the periods of total leave in rules 77, 81 (a) and 81 (b) should ordinarily be reduced by one month for each year of duty in which the Government servant has availed himself of the vacation. If a part only of the vacation has been taken in any year, the period to be deducted will be a fraction of a month equal to the proportion which the part of the vacation taken bears to the full period of the vacation.

Audit Instruction.—The reduction by one month for each year of duty in which the Government servant has availed himself of the vacation, as required to be made under this rule, is intended to be made in respect of leave earned and vacation taken from 1st January 1922.

Thus in the case of Government servants of Vacation Departments the leave credited to their leave account under Fundamental Rule 77 will be—

- (1) privilege leave at the credit on 1st January 1922, *i.e.*, privilege leave earned under Articles 272 or 275, Civil Service Regulations, *plus*
- (2) one-eighth (or one-twelfth) of the period spent on duty or vacation (or privilege leave) up to 31st December 1921, *plus*,
- (3) five-twenty-seconds (or two-elevenths) of the periods spent on duty or vacation from 1st January 1922.

From this a reduction will be made of one month for each year of duty in which the Government servant avails himself of the vacation after 1st January 1922. Similarly the total leave admissible under Fundamental Rules 81 (a) and 81 (b) will be reduced by one month for each year of duty in which the vacation is taken after 1st January 1922. (Paragraph 34 of Audit Instructions issued up to 31st October 1922.)

- (c) In cases of urgent necessity, when a Government servant requires leave and no leave is due to him, the periods in rules 77 and 81 (a), as reduced by clause (b) of this rule, may be increased by one month for every two years of duty in a vacation department.

Audit Instruction.—The amount credited to the leave account under this rule, as well as that added to the maximum under Rule 81 (a) should be the actual amount of additional leave taken under this rule, and not the total amount theoretically permissible, i.e., one month for every two years of duty. (Paragraph 35 of Audit Instructions issued up to 31st October 1922.)

- (d) When a Government servant combines vacation with leave, the period of vacation shall be reckoned as leave in calculating the maximum amount of leave on average pay which may be included in the particular period of leave.

Audit Instruction.—The limit of four months' leave on average pay prescribed in the Audit Instruction communicated in Auditor General's No. 142-Code-23A, dated the 7th February 1923, should be held to be inclusive of any period of vacation prefixed to leave. (Auditor General's letter No. T/223-A.-213-23, dated the 7th June 1923.)

83. (a) On the conditions specified in clauses (b), (c) and (d) of this rule, a local Government may grant special disability leave to a Government servant who is disabled by injury or illness—

- (i) in the performance of any particular duty which has the effect of increasing his liability to injury or illness beyond the ordinary risk attaching to the civil post which he holds; or

- (ii) in or in consequence of, the due performance of his official duties or in consequence of his official positions.

(b) The grant of special disability leave is subject to the following conditions:—

- (i) The disability must be certified by a medical board to be directly due to the performance of the particular duties or to the holding of an official position.
- (ii) The disability must ordinarily have manifested itself within three months of the performance of the duties or of the occurrence to which it is attributed, and the person disabled must have acted with due promptitude in bringing it to notice. The period of three months may be extended by the Governor General in Council if he is completely satisfied as to the cause of the disability.
- (iii) The period of leave granted shall be such as is certified by a medical board to be necessary and shall in no case exceed two years. If leave for less than two years is granted in the first instance, it shall not be extended except on the certificate of a medical board.
- (iv) Special disability leave may be combined with leave on average pay, if due, up to a maximum of four months of such leave, and with leave on half average pay if due and certified by a medical board to be necessary.

(c) If a Government servant has contracted such disability while serving with a military force, he shall, in the event of his discharge as unfit for further military service, be eligible for special disability leave on the conditions specified in clause (b) of this rule; provided that—

- (i) he is not reported to be completely and permanently incapacitated for further civil service, and
- (ii) any period of leave on medical certificate granted to him under military rules on account of the disability is reckoned as part of the period of two years up to which special disability leave may be granted.

(d) If a Government servant has contracted such disability during service otherwise than with a military force, special disability leave may not be given unless the injury

or illness is, in the opinion of the local Government, so exceptional in character or in the circumstances of its occurrence as to justify such unusual treatment as the grant of this form of leave.

(e) Special disability leave may be granted if a disability contracted as in clause (a) of this rule is aggravated or reproduced in similar circumstances at a later date, but not more than two years of such leave shall be granted in consequence of any one disability.

(f) The period of leave will not be debited against the leave account and will count as duty in calculating service for pension.

(g) Leave-salary on such leave will be equal to half average pay, subject to the maxima and minima prescribed in rules 89 and 90.

Government of India's decision.—The Government of India have decided that the provisions of Fundamental Rule 83 may be applied to any cases that may have arisen since the commencement of the Great War. (Government of India, Finance Department, No. 1221-C. S. R., dated the 18th July 1923.)

84. Leave may be granted to Government servants, on such terms as the Secretary of State in Council may by general order prescribe, to enable them to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account.

Secretary of State's Rules regarding Study Leave.—(1) The rules prescribed by the Secretary of State in Council, with reference to this rule to regulate the grant of leave to officers for the study of scientific, technical or similar problems, or in order to undertake special courses of instruction are reproduced in Appendix No. 20 (I). They have effect from the 1st January 1922. (Government of India, Finance Department, Resolution No. 1698-C.S.R., dated the 25th September 1923.)

(2) The rules prescribed by the Secretary of State for the encouragement of officers to undertake courses of legal study, while on leave in the United Kingdom are reproduced in Appendix No. 20 (II). (Government of India, Home Department, No. F-1737-22 Judicial, dated the 10th April 1923.)

85. (a) In special circumstances and when no other leave is by rule admissible, extraordinary leave may be granted. Such leave is not debited against the leave account. No leave-salary is admissible during such leave.

(b) The authority which has the power to sanction leave may grant extraordinary leave as in clause (a) in combination with, or in continuation of, any leave that is admissible, and may commute retrospectively periods of absence without leave into extraordinary leave.

(c) When extraordinary leave is granted to a military officer subject to these rules, he will continue to be treated as in civil employ for all purposes until he is placed on military temporary non-effective pay by the order of a medical board. If, after being placed on military temporary non-effective pay, he returns to duty in India, he will have no claim to re-instatement in civil employ.

Audit Instructions.—(1) Extraordinary leave may be granted either by itself or in combination with or in continuation of other leave subject only to the provision in Fundamental Rule 18. (Auditor General's No. 1091-A-433-23., dated the 31st October 1923.)

(2) Extraordinary leave without pay granted under the rules of the Civil Service Regulations will not be debited against the leave account under Note 2 to Fundamental Rule 78. (Paragraph 36 of Audit Instructions issued up to 31st October 1922.)

Rules regarding casual leave.

S. R. 201. Fundamental Rule 85 does not refer to casual leave for short periods, such leave is not recognised and is not subject to any rule. Technically therefore a Government servant on casual leave is not treated as absent from duty, and his pay is not interrupted. Casual leave, however, must not be given so as to cause an evasion of the rules regarding—

(i) date of reckoning allowance	...	Fundamental Rule 17,
(ii) charge of office	...	Subsidiary Rules under Fundamental Rule 17,
(iii) commencement and end of leave	...	Fundamental Rules 68, 70, 71 and 72,
(iv) return to duty	...	

or so as to extend the term of any leave beyond the time admissible by rule.

S. R. 202. The above rule is not to be read as precluding the treatment as casual leave of absence from duty following on leave

granted under the rules, so long as such absence is due to reasons involving no evasion of the rules in regard to matters above specified, as for instance, when it is necessitated by—

- (1) detention in plague camps on the way to rejoin; or
- (2) orders not to attend office in consequence of the presence of infectious diseases in the family or household of the persons concerned.

When, however, absence from duty for reasons of the nature above indicated exceeds the period which may reasonably be treated as casual leave under the discretion vested in the Local Government or the head of the office the Government servant may be granted leave with allowance that may be due to him and thereafter leave without allowance.

NOTE 1.—These examples are not meant to be in any way exhaustive.

NOTE 2.—The Local Government may sanction a substitute for an absentee who is prohibited from attending his duties on account of some infectious disease in his family, and whose duties can be arranged for without prejudice to his pay; provided that the absence does not exceed 30 days and the pay of the absentee is not more than Rs. ₹00 a month.

86. Leave granted to a Government servant should in no case extend more than six months beyond the date on which the Government servant must compulsorily retire, or, if a Government servant is retained in service after that date, more than six months beyond the date on which he ceases to discharge his duties.

Government of India's decisions.—(1) The Government of India have decided that the proper test in applying this rule is whether it would be more convenient on general administrative grounds for a Government servant to take leave before or after the age of superannuation, and that all Government servants should be warned that the rule is intended to apply only in cases in which a Government servant with leave due to him has applied for leave in sufficient time before the date of retirement, and his application has been refused owing to the exigencies of the public service, and that it is not intended to apply so as to enable a Government servant at his own option to take leave after, instead of before the date of retirement. (Government of India, Finance Department, No. 2081-C.S.R., dated the 26th November 1923.) (*See also* Government of Bengal memorandum No. 961-F., dated the 19th January 1924.)

(2) The grant of leave under this rule automatically carries with it the extension required and no formal sanction to the extension is necessary. (Government of India, Finance Department, No. 520-C.S.R., dated the 31st May 1922.)

Section V.—Leave Salary.

87. Subject to the conditions in rules 81, 88, 89 and 90, a Government servant on leave shall, during leave, draw leave-salary as follows:—

- (a) If the leave is due, leave-salary equal to average pay, or to half average pay, or to average pay during a portion of the leave and half average pay during the remainder, as he may elect; and
- (b) if the leave is not due, leave-salary equal to half average pay.

Note.—When a non-gazetted Government servant takes leave, his pay at the time of taking leave may be treated as his average pay for the purpose of this rule if—

- (i) his pay is less than Rs. 300, or
- (ii) the leave taken does not exceed one month.

Audit Instructions.—(1) The term “pay” appearing in the expression “his pay at the time of taking leave” in the note under this rule should be interpreted as including the pay which a Government servant with a substantive post on a permanent establishment draws for officiating in another permanent post or for holding a temporary post either substantively or in an officiating capacity. (Auditor-General’s No. 742-A, 175-22, dated 4th November 1922, and Audit Instruction Circular No. 1, dated 2nd February 1923.)

(2) The note should be taken as granting a concession to those who will suffer in emoluments by taking average pay and not as laying down the rule in all cases. In the cases referred to in clauses (i) and (ii), either the average pay of the Government servant or his pay at the time of taking leave, whichever is greater, may be taken. (Paragraph 37, Audit Instruction Manual, up to 31st October 1922.)

88. After continuous absence from duty on leave for a period of 28 months, a Government servant will draw leave-salary equal to quarter average pay, subject to the maxima and minima prescribed in rules 89 and 90.

Note.—A member of the Indian Civil Service or a military commissioned officer subject to these rules is entitled to leave-salary equal to subsistence grant after this period.

Audit Instructions.—The expression “continuous absence from duty on leave” in this rule does not include absence on extraordinary leave. (Auditor-General’s No. 1147-A/440-23, dated the 14th November 1923 and paragraph 5 of Audit Instruction Circular No. 16, dated 16th June 1924.)

89. Except during the first four months of any period of leave on average pay, leave-salary is subject to the monthly maxima shown in the following table:—

	AVERAGE.		HALF AVERAGE.		QUARTER AVERAGE.	
	Outside Asia.	In Asia.	Outside Asia.	In Asia.	Outside Asia.	In Asia.
	£	Rs.	£	Rs.	£	Rs.
Indian Civil Service and military commissioned officers subject to the special leave rules.	222	2,222	111	1,111	..	..
Other Government servants subject to the special leave rules.	200	2,000	100	1,000	60	600
Government servants subject to the ordinary leave rules.	150	1,500	75	750	60	600

Note 1.—The maximum of average pay does not apply in the case of a Government servant who is entitled, under orders previously in force, to privilege leave for more than four months, during a period equal to that for which he is entitled to privilege leave.

Note 2.—The maximum of average pay does not apply to a Government servant serving in a vacation department during a period of leave on average pay equivalent to one month for each year since his last leave during which he has not availed himself of the vacation, and to a proportionate fraction of a month during which he has taken a part only of the vacation; provided that, in the case of a Government servant who is transferred with leave to his credit from a non-vacation to a vacation department, the local Government shall decide, on the first occasion on which he takes leave after such transfer, the period not exceeding four months for which the maximum limit of leave-salary shall not be applied to him.

Audit Instruction.—The intention is that vacation should be treated as the equivalent of the leave on average pay for the purposes of this rule, and Government of India, Finance Department, Resolution No. 1289-C.S.R., dated the 10th January 1922. (Auditor-General's Audit Instruction Circular No. 1, dated the 2nd February 1923.)

90. Subject to the condition that the leave-salary of a Government servant shall in no case exceed his average

pay, leave-salary is subject to the monthly minima shown in the following table:—

	HALF AVERAGE.		QUARTER AVERAGE.	
	Outside Asia.	In Asia.	Outside Asia.	In Asia.
	£	Rs.	£	Rs.
Indian Civil Service and military commissioned officers subject to the special leave rules.	55½	555	..	..
Other Government servants subject to the special leave rules.	33	333	16½	166
Government servants subject to the ordinary leave rules.	25	250	12½	125

Note 1.—The minima specified above for Government servants other than members of the Indian Civil Service and military commissioned officers apply only when leave is taken or extended out of India.

Note 2.—In the case of a military commissioned officer, the minimum leave-salary during such leave as may be added under rule 77 (b) to the leave earned by duty under these rules shall be that prescribed by the military rules to which the officer was subject immediately before he came under these rules; and for an officer of the Royal Engineers who was serving under the Indian Army Leave Rules immediately before he became subject to these rules, the minimum shall be the rate prescribed by the leave rules for the Indian Army according to the length of his service for Indian pension. In the case, however, of an officer of the Royal Engineers, who was serving under British Army Leave Rules immediately before he became subject to these rules, the minimum for so much of the leave credited as has been earned by service in civil employment shall be at the rate of—

- (i) £55½ out of Asia and 555 rupees in Asia if he elected for continuous service in India before the 1st February 1928; or
- (ii) the amount shown in sub-clause (i) or the pay last drawn by him on duty, whichever is less, if he elects to come under civil leave rules after completing five years' service.

Note 3.—A military commissioned officer subject to these rules, who is granted leave on medical certificate in excess of the amount earned by him under both the civil and military rules, may be allowed the civil minimum rate of leave-salary for the period of leave taken in excess of the amount so earned.

Audit Instruction.—In applying note 2 under the rule to a Military Officer who had already become subject to the Civil Leave Rules, before 1st January 1922, the term "these rules" appearing in lines 4, 6 and 10 of the note, should be read as equivalent to "the Civil Leave Rules." (Paragraph 38 of Audit Instructions issued up to 31st October 1922.)

91. A Government servant will ordinarily draw leave-salary in rupees if residing in Asia and in sterling if residing out of Asia. Leave-salary drawn in rupees must be drawn in India or, by a Government servant residing in Ceylon. Leave-salary drawn in sterling must be drawn in London or, at the Government servant's option, in any British Dominion or Colony which the Secretary of State in Council may by order prescribe; provided that, during the first part of any period of leave on average pay, up to a maximum of four months, a Government servant may, at his option, draw leave-salary in rupees in India, even if he be residing out of India. Leave-salary will be converted into sterling at such rate of exchange as the Secretary of State in Council may by order prescribe.

Secretary of State's orders.—(1) The Secretary of State in Council has ordered that the rate of exchange at which leave salary shall be converted into sterling should be as follows:—

Leave salary expressed in rupees, if paid at the Home Treasury or in a colony, when the standard of currency is gold, shall be converted into sterling at the rate of exchange for telegraphic transfers from Calcutta on London, on the date on which each payment becomes due, the rate of exchange being subject to the following minima:—

- (a) In respect of leave salary due for the first four months of a period of leave on average pay—1s. 4d. per rupee.
- (b) In respect of all other leave salary—1s. 6d. per rupee.

(*Vide* Government of India, Finance Department, Resolution No. 1289-C.S.R., dated the 10th January 1922.)

Audit Instruction.—For the purpose of the above orders prescribing the rate of exchange at which leave salary should be converted into sterling an officer who had more than 4 months' privilege leave credited to his leave account on the 1st January 1922, under Fundamental Rule 77 will, on the first occasion on which he takes leave on average pay, convert his leave salary at 1s. 4d. per rupee for the whole period of the leave on average pay so credited to his account. In the case of officers on leave on 1st January 1922, who exercised the option of having the unexpired portion of their leave cancelled, and took the balance under the Fundamental Rules the minimum of 1s. 4d. should apply to that portion only of leave which was credited as privilege leave in the leave account made up to the 1st January 1922. (Paragraph 3, Audit Instruction Circular No. 5, dated the 26th June 1923.)

Secretary of State's orders.—(2) The Secretary of State for India in Council is pleased to prescribe that leave salary may be drawn in sterling in the following British Dominions and Colonies :—

Europe—

Gibraltar.

Malta.

America and West Indies—

Dominion of Canada.

Bahamas.

Barbados.

Bermuda.

British Guiana.

British Honduras.

Jamaica.

North Africa—

Gambia.

Gold Coast.

Nigeria.

Sierra Leone.

Africa other than North Africa—

Union of South Africa.

Kenya.

St. Helena.

Uganda.

Australasia—

Commonwealth of Australia.

New Zealand.

Fiji Islands.

NOTE. —Leave salary may also be drawn in sterling in Egypt while a British Army Pay Office is retained there.

(Government of India, Finance Department, No. 868 C.S.R., dated the 8th August 1922.)

Government of India's orders.—(1) The cost of leave salary paid outside India should be distributed between the different Governments, under which a Government servant has served, according to the length of service under each Government and it should be debited to the "foreign" Government up to the full amount earned by that service.

(2) When a Government servant is transferred under a Government other than that under which he was first employed, the leave salary drawn by him during any leave taken after the date of transfer, shall be charged to the borrowing Government until the entire leave earned under that Government is exhausted. (Government of India, Finance Department, No. 865 C.S.R., dated the 11th August 1921.)

92. The rupee maxima and minima detailed in rules 89 and 90 are applicable to those Government servants only who reside in Asia during their leave, and the sterling maxima and minima to those who reside elsewhere.

93. A compensatory allowance should ordinarily be drawn only by a Government servant actually on duty, but

a local Government may make rules specifying the conditions under which a Government servant on leave on average pay may continue to draw a compensatory allowance, or a portion thereof, in addition to leave-salary during the first four months of his leave. One of these conditions should be that the whole or a considerable part of the expense to meet which the allowance was given continues during leave.

Audit Instructions.—(1) Under this rule the maximum period during which a Government servant can be allowed to draw compensatory allowances, while on leave is four months (or six months in the case of leave admissible under the special concession referred to in Note 1 to Fundamental Rule 89). The length of the total period of leave is irrelevant, but compensatory allowances cannot be drawn during any period of leave, which is not leave on average pay. (Audit Instruction Circular No. 14, dated the 15th April 1924.)

(2) A Government servant's claims to travelling allowance should be regulated by the rules in force at the time the journeys in respect of which they are made, were undertaken. (Paragraph 2, Audit Instruction Circular No. 7, dated the 21st August 1923.)

Rules regarding the drawing of compensatory allowance during leave.

S. R. 263. Subject, in respect of house-rent allowance, to the provisions of rule 265, a compensatory allowance attached to a post will be drawn in full by the Government servant performing the duties of that post.

S. R. 264. A compensatory allowance other than a house-rent allowance or exchange compensation allowance may be drawn up to a maximum period of four months by a Government servant who takes leave on average pay from the post to which the allowance is attached or is transferred therefrom for not more than four months to another post, as well as by the Government servant performing the duties of the post to which the allowance is attached: Provided that—

- (1) the authority sanctioning the leave or transfer, as the case may be, certifies that the Government servant is likely to return, on the expiry of his leave or his temporary duty, to the post to which the allowance is attached or to another post carrying a similar allowance; and
- (2) the Government servant certifies that he continues to incur the whole or a considerable part of the expense to meet which the allowance was granted. In the latter case, it is left to the discretion of the authority sanctioning the leave or the transfer as the case may be, to decide whether any, and by how much the allowance should be reduced.

S. R. 265. A house-rent allowance may be drawn by a Government servant on leave or transfer in the circumstances specified in rule 264: Provided that he certifies that his previous rate of expenditure for a house continues during his absence and that he places his house, free of rent, at the disposal of the Government servant, if any, who officiates in his post. The officiating Government servant cannot, in such case, draw the house-rent allowance attached to the post. If, however, the officiating Government servant, for a reason which the local Government considers to be sufficient, refuses the accommodation placed at his disposal, he, and not the absent Government servant, will draw the allowance.

‘ This rule does not apply to any Government servant admitted to the benefits of the Calcutta House Allowance scheme, in so far as it is inconsistent with the rules governing that scheme.

S. R. 266. Exchange compensation allowance, if otherwise admissible, may be drawn by a Government servant during the first four months of any period of leave on average pay.

Section VI.—Exceptions and Special Concessions.

94. The rules in sections I to V are not applicable to the following Government servants whose leave is governed by the Act or by rules made under other sections of the Act:—

- (a) Members of the Executive Council of the Governor-General or of a Governor or Lieutenant-Governor.
- (b) The Chief Justices and other Judges of the several High Courts.
- (c) The Bishops of Calcutta, Madras and Bombay.
- (d) The Auditor General in India.

Audit Instruction.—Subject to any special orders by the Government of India to the contrary, leave of absence granted to a Member of the Executive Council of the Governor General (if taken out of India) commences on the day after such Member embarks at any port in India, excluding Aden, and ends on the day before he disembarks at any port in India, excluding Aden, provided always that such Member has not been relieved of the charge of his office until he embarks and that he resumes charge immediately upon his disembarkation. (Paragraph 39 of Audit Instructions issued up to 31st October 1922.)

94A. The rules in sections I to V are not applicable to the Presidents of Legislative bodies, whose leave is governed by orders issued in this behalf by the Secretary of State in Council.

Secretary of State's Orders.—(1) The Secretary of State in Council has laid down the following principles to govern the grant of leave to the Presidents of the Legislative Councils:—

- (i) In view of the long periods of what may be described as "vacation" which a President enjoys and which he is free to spend wherever he chooses, no President shall be regarded as "earning leave" at all during the tenure of his appointment, or shall, except in the case of inability through sickness to attend to duty, be granted on the basis of his pay and service as President leave of absence from his duty with allowances, either during the tenure of his appointment or, except as provided in clause (ii) below, on its termination.
- (ii) An official, being a member on the active list of a regular service, appointed to be President of a Council, shall be treated as retaining, during his tenure, his right to any leave which he had earned and which was due to him at the time when he assumed the office of President, and shall be entitled to enjoy such leave on or after the termination of his office of President on the allowances which would be admissible without taking account of the salary drawn as President.

(2) The Secretary of State has left to the discretion of His Excellency the Governor the settlement of any question of detail which may arise. (Government of India, Finance Department, Resolution No. 1130 C.S.R., dated the 5th October 1922.)

95. Subject to any exceptions and modifications which the Secretary of State in Council may by rule prescribe, the special leave rules in sections I to V of this Chapter apply to Chaplains of the Church of England and Church of Scotland on the Bengal, Madras and Bombay Ecclesiastical Establishments, including the Bishops of Lahore, Rangoon, Lucknow and Nagpur.

Secretary of State's Rules.—The rules made by the Secretary of State in Council on 7th June 1923 governing the leave and the leave salary of Chaplains of the Church of England, and Church of Scotland on the Bengal, Madras and Bombay Ecclesiastical Establishments, including the Bishops of Lahore, Rangoon, Lucknow and Nagpur are given in Appendix No. 21.

96. The only form of leave which may be granted to a Lieutenant-Governor, whether substantive or officiating, is leave on medical certificate for not more than six months. On resuming his duties after such leave, he may receive leave-salary equal to half his pay for the period of absence. If he does not resume his duties, he may draw the leave-salary to which he would have been entitled under rule 97 had he vacated his post before taking leave.

97. When a member of the Indian Civil Service takes leave on vacating the post of Governor, Lieutenant-Governor or Chief Commissioner or of member of the Executive Council of the Governor General, or of a Governor or Lieutenant-Governor, his average pay shall be held to be subject to a maximum of 4,000 rupees. Such an officer will not retain, while on leave, a lien on the post which he has vacated.

Audit Instructions.—(1) In the case of the Government servants referred to in this rule, it is left to the discretion of the Government of India or the Local Government as the case may be, under which the Government servant is employed, to give him a lien on another post or to leave him without a lien at all. (Paragraph 40 of Audit Instructions issued up to 31st October 1922.)

(2) The maximum limit of average pay of Rs. 4,000 referred to in this rule applies to the leave salary drawn during the first 4 months of leave on average pay, by officers who take leave under this rule. For any remaining period of leave taken under this rule the maxima laid down in Fundamental Rule 89 apply. (Paragraph 41 of Audit Instructions issued up to 31st October 1922.)

98. The following provisions apply to pleader judges of the Chief Court of Lower Burma, and to barristers holding the posts enumerated below: provided that, in the case of barristers, they were, on first admission to Government service, appointed to some post in which the local Government has declared it to be necessary on public grounds to employ a barrister:—

- (1) Judges of the Chief Court of Lower Burma.
- (2) First Judges of Small Cause Courts of Presidency towns.
- (3) The Secretary to the Government of India in the Legislative Department.
- (4) A Judicial Commissioner or Additional Judicial Commissioner of Oudh or of the Central Provinces.
- (5) The Administrator-General and Official Trustee in Bengal, Madras or Bombay.
- (6) The Administrator-General, Official Trustee, Official Assignee and Official Receiver in Burma.
- (7) A Chief Judge of the Court of Small Causes in Rangoon.
- (8) An Additional Judicial Commissioner of Sind.

Such Government servants are entitled to leave on terms similar to those applied to Judges of High Courts by rules made under section 104 of the Act; provided that :—

- (a) their leave-salary, while on furlough or on subsidiary leave, shall not exceed one-half of the pay which they drew at the time of taking leave; and
- (b) if holding one of the posts specified in items (3) to (7) above, they are entitled to leave on average pay, in lieu of the privilege leave admissible under the rules made under section 104, up to one eleventh of the period of duty performed, on the same conditions as a Government servant serving in a vacation department.

99. The following law officers are entitled to leave under the rules applicable to members of the Indian Civil Service, provided that their pay as Government servants is fixed at a definite rate and that their whole time is retained for the service of Government:—

An Advocate General.

A Standing Counsel.

An Official Trustee or Assignee.

A Receiver of a High Court.

An officer of a High Court holding a post which by law can be held by a barrister only.

A Secretary or Assistant Secretary in the Legislative Department of a local Government.

A Remembrancer, Deputy Remembrancer or Assistant Remembrancer of Legal Affairs.

A Government Advocate or Assistant Government Advocate.

A Clerk of the Crown.

A Government Solicitor.

100. The following provisions apply to military officers in civil employ who remain subject to military leave rules:—

- (a) A local Government may grant to such an officer leave of the following kinds:—

- (i) Leave on average pay, for four months at a time, up to one-eleventh of the period of duty

performed, including uninterrupted duty in military service; provided that, if privilege leave under military rules has been taken in any calendar year, duty counting for leave on average pay will not commence until the beginning of the following year or from the expiry of six months after the conclusion of such leave, whichever is earlier; and

- (ii) any leave, other than privilege leave, admissible under military rules, either alone or in combination with leave on average pay.
- (b) The total period of leave should be regulated by the limits in force under the military rules to which the officer is subject.
- (c) Leave may be retrospectively commuted by the authority which granted it into any other kind of leave which was admissible to the officer concerned at the time when it was granted.

Provided that, except in the case of an officer holding substantively a permanent post for a fixed term, no leave under sub-clause (ii) of clause (a) of this rule may be granted to an officer unless the local Government is prepared to re-employ him immediately before the termination of the leave.

101. A local Government may make rules regulating the grant to Government servants under its control of—

- (a) maternity leave to female Government servants; and
- (b) leave on account of ill-health to members of subordinate services specified in such rules whose duties expose them to special risk of accident or illness.

Such leave is not debited against the leave account.

Rules regulating the grant of maternity leave to female Government servants.

S. R. 267. A competent authority may grant to a female Government servant maternity leave on full pay for a period which may

extend up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement, whichever be earlier.

NOTE.—The expression “ Full pay ” used in this rule means pay at the time of taking leave.

S. R. 268. Leave of any other kind may be granted in continuation of maternity leave if the request for its grant be supported by a medical certificate.

Rules regulating the grant of leave on account of ill-health to members of specified subordinate services, whose duties expose them to special risk of accident or illness.

S. R. 269. A competent authority may grant hospital leave to Government servants of the following classes while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of their official duties:—

- (a) Police officers of rank not higher than that of head-constable, and men of the Military Police.
- (b) Forest subordinates, other than clerks, in receipt of pay not exceeding Rs. 40.
- (c) Head warders or warders, male or female, of jails and matrons of the Jail Department.
- (d) Government servants employed in Government Presses, whether on fixed pay or on piece rates.
- (e) Subordinates employed in Government laboratories.
- (f) Subordinates employed on the working of Government machinery.
- (g) Peons and guards in permanent employ.
- (h) Subordinates of the Excise and Salt Department on pay not exceeding Rs. 40.
- (i) Head warders or warders, male or female, of lunatic asylums,
- (j) Syces of Government stallions.

S. R. 270. Hospital leave may be granted on leave-salary equal to either average or half average pay, as the authority granting it may consider necessary.

S. R. 271. The amount of hospital leave which may be granted to a Government servant is limited to three months on average pay in any period of three years. Hospital leave on half average pay counts, for the purpose of this limit, as half the amount of leave on average pay.

S. R. 272. Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible: provided that the total period of leave, after such combination, shall not exceed twenty-eight months.

102. A local Government may make rules regulating the grant of leave on account of ill-health to officers and seamen of Government vessels. Such leave is not debited against the leave account.

Rules regulating the grant of leave to Seamen.

S. R. 273. A Government servant serving as an officer, warrant officer or petty officer on a Government vessel may, while undergoing medical treatment for sickness or injury, either on his vessel or in hospital, be granted by the Commander of the vessel leave on leave-salary equal to full pay for a period not exceeding six weeks: Provided that such leave shall not be granted if a responsible medical officer certifies that the Government servant is malingering or that his ill-health is due to drunkenness or similar self-indulgence or to his own action in wilfully causing or aggravating disease or injury.

S. R. 274. A seaman disabled in the exercise of his duty may be allowed leave on leave-salary equal to full pay for a maximum period not exceeding three months, if the following conditions are fulfilled:—

- (a) A Government medical officer must certify the disability.
- (b) The disability must not be due to the seaman's own carelessness or inexperience.
- (c) The vacancy caused by his absence must not be filled.

103. A local Government may make rules regulating the leave which may be earned by—

- (a) temporary and officiating service;
- (b) service which is not continuous; and
- (c) part-time service, or service which is remunerated wholly or partially by the payment of fees or daily wages;

provided that such rules shall not grant more favourable terms than would be admissible if the service were substantive, permanent and continuous.

Rules regulating the grant of leave—

- (i) to temporary and officiating Government Servants.

S. R. 275. Leave may be granted to any Government servant without a lien on a permanent post while officiating in a post or

holding a temporary post: Provided that the grant of the leave involves no expense to Government. On this condition such a Government servant may be granted—

- (a) leave on leave-salary equivalent to full pay up to one-eleventh of the period spent on duty, subject to a maximum of four months at a time, or
- (b) on medical certificate, leave on leave-salary equivalent to half pay for three months at any one time, or
- (c) extraordinary leave for three months at any one time.

NOTE.—The different kinds of leave referred to in clauses (a), (b) and (c) of this rule are cumulative and not alternative. (Paragraph 3 of Audit Instruction Circular No. 11, dated the 15th January 1924.)

Exception.—In the case of a Government servant officiating in a permanent post or holding a temporary post in a vacation department, leave granted under clause (a) of this rule shall be on leave-salary equivalent to half pay; provided that such a Government servant may be granted, under that clause, leave on leave-salary equivalent to full pay to the extent of one month for each year of duty, in which he has not availed himself of any part of the vacation. (Government of India, Finance Department, No. 783-C. S. R., dated the 18th July 1922.)

S. R. 276. If such a Government servant is, without interruption of duty, appointed substantively to a permanent post, his leave account will be credited with the amount of leave which he would have earned by his previous duty if he had performed it while holding a permanent post substantively, and debited with the amount of leave actually taken under rule 275. Leave taken under rule 275 is not an interruption of duty for the purpose of this rule.

S. R. 277. The temporary and officiating service rendered under another Government, whether Central or Provincial, will, if followed by confirmation of the officers under the Bengal Government, be taken into account for the purpose of the leave account maintained under the Fundamental Rules, provided that under the rules laid down by the other Government such service would have counted had the Government servant in question continued in the service of that Government without a break till confirmation.

(II) to Government servants whose service is not continuous.

S. R. 278. A Government servant on an establishment whose duties are not continuous, but are limited to certain periods in each year, may be granted the following leave, if he was on actual duty on the date the establishment was discharged after completion of its work, and was on actual duty on the first day on which the establishment was again re-employed:—

- (a) Leave on medical certificate for one month on half average pay at any one time during the period the establishment is employed for any one term.
- (b) Extraordinary leave for one month at any one time during the period the establishment is employed for any one term.

S. R. 279. A competent authority may make exceptions, in case a Government servant remains absent from duty on the date of discharge or date of re-employment of the establishment owing to sickness: Provided that the total period of leave on medical certificate under clause (a) in rule 278 does not exceed two months in one term.

(iii) to part-time Government servants.

S. R. 280. A law officer holding one of the posts mentioned in Fundamental Rule 99, if his pay is fixed at a definite rate, but his whole time is not retained for the service of Government, may be granted leave as follows:—

- (a) Leave on full pay during the vacation of the High Court; provided that no extra expense is thereby caused to Government. Such leave will be counted as duty.
- (b) Leave on half pay for not more than six months once only in his service after six years of duty; provided that no extra expense is thereby caused to Government.
- (c) On medical certificate, leave on half pay up to a maximum of 20 months at any one time; provided that three years of duty must intervene between any two periods of leave on medical certificate; provided that no extra expense is thereby caused to Government.
- (d) On the conditions prescribed in Fundamental Rule 85, extraordinary leave.

S. R. 281. Leave under any one of the clauses of rule 280 may be combined with leave under any other clause.

S. R. 282. A Government Pleader or a Government Prosecutor is entitled to such leave of absence and to such leave-salary when on leave, as the authority who appoints him may think fit to grant, provided that no extra expense be caused to Government.

(iv) to Government servants remunerated by fees or daily wages.

S. R. 283. A Government servant remunerated by fees may be granted leave on the terms laid down in subsidiary rules framed under Fundamental Rule 103(c) for part-time law officers: Provided that he makes satisfactory arrangements for the performance of his duties, that no extra expense is caused to Government, and that, during leave of the kind contemplated by clause (b) of rule 280 of the said rules, the whole of the fees are paid to the person who officiates in his post.

S. R. 284. A section-writer or a press servant paid under the piece-work system, if granted leave, is not entitled to any allowance whatever during his absence.

S. R. 235. A labourer employed on daily wages in a workshop, when temporarily absent from work owing to injuries received while on duty, may be granted by a competent authority leave on full wages up to a maximum of six months. A competent authority may, in similar circumstances, sanction the grant of leave-salary not exceeding Rs. 50, or one month's wages, or the wages which the absentee would have earned during the period of leave if he had been present on duty, whichever of these is least.

NOTE.—The limits prescribed above are to be regarded as inclusive of compensation under the Workmen's Compensation Act, where that is payable.

104. During their period of probation or apprenticeship, probationers and apprentices are entitled to leave as follows:—

(a) If appointed under contract in the United Kingdom with a view to permanent service in India, or if appointed in the United Kingdom to posts created temporarily with the prospect, more or less definite, of becoming permanent:—

(i) to such leave as is prescribed in their contracts, or, when no such prescription is made,

(ii) (1) when the period of probation is not less than three years, to the same leave which would be admissible if they held permanent posts; or

(2) when the period of probation is less than three years, to leave on average pay up to one-eleventh of the period spent on duty, to which may be added, on medical certificate, leave on half average pay; provided that the total leave granted under this clause shall not exceed three months reckoned in terms of leave on average pay; and

(b) if appointed otherwise, to such leave as is admissible under the rules framed on this behalf by the local Government, subject to the proviso in rule 103.

Rule regulating leave to Government servants appointed under contract.

S. R. 286. Leave on medical certificate under rule (a) (ii) shall not be granted for a period extending beyond the term of a Government servant's contract, unless or until it has been decided to retain him in permanent employment.

Rules regulating the grant of leave to probationers and apprentices.

S. R. 287. In these rules—

- (a) *Probationer* means a Government servant employed on probation in or against a substantive vacancy in the cadre of a department.
- (b) *Apprentice* means a person deputed for training in a trade or business with a view to employment in Government service, who draws pay at monthly rates from Government during such training, but is not employed in or against a substantive vacancy in the cadre of a department.

S. R. 288. Leave may be granted to a probationer if it is admissible under the leave rules which would be applicable to him if he held his post substantively otherwise than on probation.

S. R. 289. Leave of the following kinds may be granted to an apprentice :—

- (a) On medical certificate, leave on leave-salary equivalent to half pay for a period not exceeding one month in any year of apprenticeship.
- (b) Extraordinary leave under Fundamental Rule 85.

Chapter XI.—Joining time.

105. Joining time may be granted to a Government servant to enable him—

- (a) to join a new post to which he is appointed while on duty in his old post; or
- (b) to join a new post,—
 - (i) on return from leave on average pay of not more than four months' duration, or
 - (ii) when he has not had sufficient notice of his appointment to the new post, on return from leave other than that specified in sub-clause (i); or
- (c) to travel from the port of debarkation and organize his domestic establishment when he returns from leave out of India of more than four months' duration; or
- (d) on departure on or return from leave, to proceed from or to the place at which he is posted to or from specified stations, when the place concerned is in a remote locality which is not easy of access.

Audit Instructions.—(1) If vacation is combined with leave joining time should be regulated under clause (b) (i), if the total period of leave and vacation combined is less than 4 months' duration and under clause (c), if the leave is out of India and vacation combined is more than 4 months. (Paragraph 3 of Audit Instruction Circular No. 7, dated the 21st August 1923.)

(2) If a Government servant is authorised to make over charge of an office elsewhere than at its headquarters, any joining time to which he may be entitled shall be reckoned from the place at which he actually makes over charge. (Auditor General's Audit Instructions, paragraph 42, issued up to 31st October 1922.)

(3) The rules relating to joining time applicable to Government servants transferred from one province to another will be those in force in the province to which the Government servant is transferred. (Audit Instructions, paragraph 43, issued up to 31st October 1922.)

(4) The intention of sub-clause (b) (i) of this rule is that joining time should be allowed to those Government servants, who are granted privilege leave or leave on average pay for not more than four months, or those who are granted privilege leave up to a maximum of 6 months under the special war concession, and who are transferred to a new station on the termination of such leave.

(Auditor General's Instructions, paragraph 44, issued up to 31st October 1922 and Audit Instruction Circular No. 16 dated the 16th June 1924.)

(5) In the case of a Government servant who is appointed while on leave of not more than 4 months duration to a post other than that from which he took leave, the full joining time calculated under Subsidiary Rule 297 [*vide* also Rule 300 (Central)] is admissible irrespective of the date on which the orders of transfer were received by the Government servant concerned. Should the Government servant join his new appointment before the expiry of such leave *plus* the joining time admissible, the period short taken should be considered as leave not enjoyed, and a corresponding portion of the leave sanctioned should be cancelled without any reference to the authority which granted the leave. (Paragraph 4, Audit Instruction Circular No. 8, dated the 15th October 1923 and Audit Instruction Circular No. 16 dated the 16th June 1924.)

106. A local Government may make rules regulating the joining time admissible in each of the cases mentioned in rule 105 and specifying the places and stations to which clause (d) of that rule shall apply. Such rules should be framed with due regard to the time required for actual transit and for the organization of domestic establishment.

Rules regulating joining time.

S. R. 290. Not more than one day is allowed to a Government servant in order to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to another. A holiday counts as a day for the purpose of this rule.

S. R. 291. In cases involving a necessary change of station, the joining time allowed to a Government servant is subject to a maximum of 30 days. Six days are allowed for preparation and, in addition, a period to cover the actual journey calculated as follows:—

(a) A Government servant is allowed—

For that portion of the journey which he travels or might travel.

One day for each.

By railway	250 miles.	} or any longer time actually occupied in the journey.
By ocean steamer	..	..	200 "
By river steamer	..	..	80 "
By motor-car or horse-drawn conveyance plying for public hire	..	..	80 "
In any other way	15 "	

(b) For any fractional portion of any distance prescribed in clause (d), an extra day is allowed.

- (c) When part of the journey is by steamer, the limit of six days for preparation may be extended to cover any period unavoidably spent in awaiting the departure of the steamer.
- (d) Travel by road not exceeding five miles to or from a railway station at the beginning or end of a journey does not count for joining time.
- (e) A Government servant whose pay does not exceed Rs. 100 is not ordinarily expected to travel by motor-car or horse-drawn conveyance plying for public hire, and his joining time is calculated accordingly.
- (f) A Sunday does not count as a day for the purpose of the calculations in this rule, but Sundays are included in the maximum period of 30 days.

S. R. 292. When a Government servant, returning from leave out of India exceeding four months, takes joining time before joining his post, his joining time shall be calculated as prescribed in rule 291; provided that it shall, if he so desire, be subject to a minimum of ten days.

S. R. 293. By whatever route a Government servant actually travels, his joining time shall, unless a competent authority for special reasons otherwise order, be calculated by the route which travellers ordinarily use.

S. R. 294. If a Government servant is authorized to make over charge of a post elsewhere than at its headquarters, his joining time shall be calculated from the place at which he makes over charge.

S. R. 295. If a Government servant is appointed to a new post while in transit from one post to another, his joining time begins on the day following that on which he receives the order of appointment.

S. R. 296. If a Government servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave, unless the leave is taken on medical certificate. In the latter case he may be allowed the joining time calculated for the journey from his old station to the furthest place to which he has proceeded on his route to his new station.

S. R. 297. If a Government servant is appointed to a new post while on leave for not more than four months' duration, his joining time will be calculated from his old station or from the place in which he received the order of appointment, whichever calculation will entitle him to the less joining time. If the leave is being spent out of India, and the order of appointment to the new post reaches him before he arrives at the port of debarkation, the port of debarkation is the place in which he received the order for the purpose of this rule. In cases falling under this rule in which the Government

servant joins his new post before the expiry of his leave *plus* the joining time admissible, the full joining time admissible under the rules should be deducted from the total period, and the balance only should be debited to his leave account.

S. R. 298. A competent authority may, in any case, extend the joining time admissible under these rules: Provided that the general spirit of the rules is observed.

S. R. 299. Within the prescribed maximum of 30 days, a competent authority may, on such conditions as it thinks fit, grant to a Government servant a longer period of joining time than is admissible under the rules in the following circumstances—

- (a) when the Government servant has been unable to use the ordinary mode of travelling or, notwithstanding due diligence on his part, has spent more time on the journey than is allowed by the rules; or
- (b) when such extension is considered necessary for the public convenience or for the saving of such public expenditure as is caused by unnecessary or purely formal transfers; or
- (c) when the rules have, in any particular case, operated harshly; as, for example, when a Government servant has, through no fault on his part, missed a steamer or fallen sick on the journey.

S. R. 300. The authority which granted the leave will decide whether the notice referred to in Fundamental Rule 105 (b) (ii) was insufficient.

S. R. 301. A Government servant on transfer during a vacation may be permitted to join at the end of the vacation, although the usual joining time is thereby exceeded.

Rule specifying stations not easy of access.

S. R. 302. The following places and stations have been declared to be not easy of access, within the meaning of Fundamental Rule 105 (d):—

- (1) Sikkim, Tibet, Bhutan.
- (2) Chittagong Hill Tracts.
- (3) Hill Tippera.

Rules regulating joining time in respect of places not easy of access.

S. R. 303. Government servants posted at the places named in column 1 of the following table are entitled to joining time under Fundamental Rule 105 (d) during journeys made, while proceeding

on or returning from leave, between any such place and the station named against it in column 2 of the table:—

Place.	Station.	Period.	Conditions, if any
		Days.	
Raungamati ..	Boundary of Chittagong District.	2	
Ramgarh ..		1	
Mahalehhari ..		4	
Dighinala ..		6	
Kliagrachhari ..		5	
Bandarban ..		1	
Ruma ..		3	
Lama ..		1	
Asartali ..		1	
Kasalong ..		3	
Manikehhari ..		1	
Mainimukh ..		5	
Chandraghona ..		1	
Barkal ..		3	
Chumbi ..	Kalimpoung Road Station ..	8	
Gyantse ..		18	
Gangtok ..		4	
Singtam ..		2	
Chungthang ..		7	
Rongli ..		3	
Ari ..		3	

S. R. 304. The amount of joining time admissible under rule 303 is the actual time spent on the journey or the period, if any, shown for a journey in column 3 of the table in rule 303, whichever is less: provided that the journey shall be held to commence on the day following either the handing over of charge of the Government servant's post or his arrival at the station named in column 2 of the table below rule 303 according as the Government servant is departing on or returning from leave.

S. R. 305. A Government servant transferred from any of the places named in column 1 of the table in rule 303 is entitled to the joining time admissible under clause (a) or (b) of Fundamental Rule 105, in addition to any joining time admissible under rule 303 above. The additional joining time should be calculated as though the post from which the Government servant is transferred were the station shown in column 2 of the table below rule 303 against the place in which he is serving.

107. A Government servant on joining time shall be regarded as on duty and shall be entitled to be paid as follows:—

- (a) If on joining time under clause (a) of rule 105, he is entitled to the pay which he drew prior to relinquishing charge of his old post, or the pay which he will draw on taking charge of his new post, whichever is less.

(b) If on joining time under clause (b) or (c) of rule 105 he is entitled—

- (i) when returning from extraordinary leave, other than extraordinary leave not exceeding fourteen days granted in continuation of other leave; if a member of the Indian Civil Service or a military commissioned officer subject to the civil leave rules, to subsistence grant; otherwise, to no payments at all;
- (ii) when returning from leave of any other kind; to the leave-salary which he last drew on leave at the rate prescribed for the payment of leave-salary in India:

Provided that the amount of half average pay to be drawn during joining time by a member of the Indian Civil Service or a military commissioned officer subject to the civil leave rules returning from leave on half average pay shall be calculated without regard to the limits prescribed in rule 89.

Note 1.—A military officer subject to the military leave rules who retains a lien on his civil post is entitled, on joining time under sub-clause (ii) above, to draw the same amount of leave-salary which he would have drawn had he taken leave under civil leave rules, provided that such leave-salary shall not be less than that which he actually drew during the last portion of his leave.

(c) If on joining time under clause (d) of rule 105, he is entitled to pay as though he were on duty in his post.

Note 2.—A ministerial servant on transfer is not entitled to be paid while on joining time unless his transfer is made in the public interests. A transfer made in consequence of his own misbehaviour does not fulfil this condition.

Audit Instructions.—(1) No extra pay (where the transfer involves the grant of extra pay) can be drawn in any case by a relieving Government servant until the transfer is complete, but as far as ordinary pay and allowances are concerned, an exception may be made to the general rule in all cases in which the charge to be transferred (whether a division, a subdivision or other charge) consists of several scattered works, which the relieving and relieved Government servants are required, by the orders of a superior officer, to inspect together before the transfer can be completed. The relieving Government servant will be considered as on duty, if the period taken in carrying out these inspections is not considered by the Superintending Engineer to be excessive. While so taking over charge, therefore, a Government servant will draw full pay, and will be regarded as on duty and not as on joining time. (Paragraph 45 of Audit Instructions issued up to 31st October 1922.)

(2) An I. C. S. Officer, when transferred from one officiating post on the superior scale to another such post is entitled to the superior scale rate of pay during joining time and he is entitled to draw it from the date on which it falls due. (*Vide* paragraph 2, Audit Instruction Circular No. 11, dated the 15th January 1923.)

Rule regulating joining time of Government servants not having substantive appointments.

S. R. 306. A Government servant having no substantive appointment under Government is not entitled to any pay during joining time, but if such a Government servant officiating in a post is transferred to another post under the Local Government the authority who orders the transfer may allow him to draw during his transit the pay to which he would be entitled under Fundamental Rule 107 (a).

108. A Government servant who does not join his post within his joining time is entitled to no pay or leave-salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour for the purpose of rule 15.

PART VII.

Chapter XII.—Foreign Service.

109. The rules in this Chapter apply to those Government servants only who are transferred to foreign service after these rules come into force. Government servants transferred previously will remain subject to the rules in force at the time of transfer.

Government of India's decision.—(1) The Government of India have decided that this rule applies only to the original period for which their services were transferred beginning before and terminating after the 1st January 1922. Any further extension should be treated as a fresh transfer and governed by the Fundamental Rules. The same principle will apply as to the date from which the rates of contribution will apply, as prescribed in Government of India letter No. 64-E.B., dated the 27th January 1922. The terms of extensions commencing after 1st January 1922 already sanctioned will not be affected by this order, unless the foreign employer was specifically warned of the liability to revision. (Government of India, Finance Department, No. 1391-C.S.R., dated the 17th August 1923, *see* also paragraph 2, Audit Instruction Circular No. 6, dated the 6th July 1923.)

(2) This rule applies to those Government servants only who are transferred to foreign service after 1st January 1922; those transferred previously remaining subject to the rules in force at the time of transfer. Government servants of the latter class are, however, entitled to take the benefit of the new rules, and will be adjudged to have elected to do so, if they do not exercise the option given by Fundamental Rule 58. To cover cases in which such Government servants come under the new leave rules the Government of India decided—

- (1) that their pay in foreign service shall be treated as pay for the purpose of calculating leave salary, and
- (2) that the existing obligations of foreign employers to pay a portion of leave allowance during privilege leave, shall be held to continue during the first 4 months of any period of leave on average pay.

(Government of India, Finance Department, Resolution No. 35-E.B., dated the 18th January 1922, *see* also paragraph 46 of Audit Instructions issued up to 31st October 1922.)

110. (a) No Government servant may be transferred to foreign service against his will.

(b) A transfer to foreign service outside India may be sanctioned by the Governor General in Council.

Note.—The Government of Madras is authorised to transfer to service in Ceylon any Government servant other than a member of an All-India service.

(c) Subject to any restrictions which the Governor General in Council may by general order impose in the case of transfer to the service of an Indian State; a transfer to foreign service in India may be sanctioned by the local Government under which the Government servant transferred is serving.

111. A transfer to foreign service is not admissible unless—

- (a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Government servant, and
- (b) the Government servant transferred holds, at the time of transfer, a post paid from general revenues or holds a lien on such a post.

112. If a Government servant is transferred to foreign service while on leave, he ceases, from the date of such transfer, to be on leave and to draw leave-salary.

Government of India's decision.—(1) The Government of India have decided to accept the suggestions made by the Secretary of State with regard to the application of foreign service rules to officers accepting employment under an Indian State, while on leave preparatory to retirement.

Extract from the Secretary of State's Despatch, Financial No. 4, dated the 22nd February 1923, to the Governor General in Council.

“..... The suggested treatment of service in an Indian State in the case of an officer on leave preparatory to retirement on proportionate pension as foreign service while the time so spent is simultaneously regarded as leave, would not be in accord with the spirit and intentions of the Foreign Service procedure. Further, it would ordinarily have the effect of increasing the officer's difficulties in obtaining fresh employment..... I think therefore that the service in question, if permitted by you, should be treated as being private employment, unless in any special case the circumstances are such that the Government of India think it right to treat the officer as one for whom an alternative career has been found by them..... In the latter case the officer would not be on leave, the service should be treated as foreign service, counting for pension, contribution should be taken from the State concerned, and the proportionate pension should remain in suspense.”

"2. I would treat officers about to retire on ordinary pension on similar lines, i.e.,—

- (a) in the usual case (e.g., that of an officer who has reached or is approaching the age of superannuation) the officer, notwithstanding his employment, with your permission in an Indian State, should be allowed to take any leave which would be admissible to him had he not accepted such employment, and pension contribution should not be required.
- (b) in exceptional cases, which in the opinion of the Government of India justify such a course, acceptance of the employment might be made conditional on the officer remaining in their service and being placed on the usual foreign service terms."

(Government of India, Finance Department, No. 602-C.S.R., dated the 26th April 1923, and enclosure)

(2) The decision communicated in the correspondence with the Secretary of State referred to above may be taken as applying to all foreign service, and not only to service in an Indian State. (Government of India, Finance Department, No. 957-C.S.R., dated the 13th June 1923.)

(3) Government servants deputed on foreign service should be treated as under the Government, Central or Provincial, under which he was permanently employed at the time of the transfer. (Government of India, Finance Department, No. 1316-C.S.R., dated the 22nd November 1922.)

113. A Government servant transferred to foreign service will remain in the cadre in which he held a post prior to his transfer, and may be given such substantive or officiating promotion in that cadre as the authority competent to order promotion may decide. In giving promotion, such authority will take into account—

- (a) the nature of the work performed in foreign service, and
- (b) the promotion given to juniors in the cadre.

114. A Government servant in foreign service will draw pay from the foreign employer from the date on which he relinquishes charge of his post in Government service. Subject to any restrictions which the Governor General in Council may by general order impose, the amount of his pay, the amount of joining time admissible to him and his pay during such joining time will be fixed by the authority sanctioning the transfer in consultation with the foreign employer.

Government of India's orders regulating emoluments while on foreign service in an Indian State.—The following orders have been issued by the Governor General in Council under this Fundamental Rule in regard to the pay, the amount of joining time admissible and the pay admissible during joining time in the case of officers transferred to foreign service in an Indian State:—

1. When the transfer of a Government servant to foreign service in an Indian State is sanctioned, the pay which he shall receive in such service, must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration, or enjoy any concession of pecuniary value, in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No Government servant will be permitted to receive any remuneration or enjoy any concession, which is not so specified; and, if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.

2. No order of transfer to foreign service shall be issued by a local Government without previous consultation with its Finance Department. It shall be open to that Department to prescribe, by general or special order, cases in which its consent may be presumed to have been given.

3. The following two general principles must be observed by local Governments in sanctioning the conditions of transfer:—

- (a) The terms granted to the Government servant must not be such as to impose an unnecessarily heavy burden on the Indian State which employs him.
- (b) The terms granted must not be so greatly in excess of the remuneration, which the Government servant would receive in Government service as to render foreign service appreciably more attractive than Government service.

4. Provided that the two principles laid down in paragraph 3 above, are observed, a local Government may sanction the grant of the following concessions by the foreign employer. Such concessions must not be sanctioned as a matter of course, but in those cases only in which their grant is in accordance with local custom and the wishes of the darbar and is, in the opinion of the local Government, justified by the circumstances. The value of the concessions must be taken into account in determining an appropriate rate of pay for the Government servant in foreign service:—

- (a) The payment of contributions towards leave-salary and pension under the ordinary rules regulating such contributions.
- (b) The grant of travelling allowance under the ordinary travelling allowance rules of the local Government or under the local rules of the darbar, and of permanent travelling allowance, conveyance allowance and horse allowance.

- (c) The use of State tents, boats and transport on tour, provided that this is accompanied by a corresponding reduction in the amount of travelling allowance admissible.
- (d) The grant of free residential accommodation, which may be furnished, in cases in which the local Government considers this to be desirable, on such scale, as may seem proper to the local Government.
- (e) The use of State motors, carriages and animals.

5. The grant of any concession not specified in paragraph 4 above, requires the sanction of the Governor General in Council (Government of India, Finance Department, No. 1360 E.B., dated the 10th December 1921.)

Audit Instructions.—When any Government servant lent on foreign service conditions retires from British service without, at the same time, retiring from the service of his foreign employer, the audit officer shall communicate to the foreign employer through the usual authorities a statement showing the date of retirement, and the amount of pension drawn from the British Government so as to give the foreign employer the opportunity, if he be so inclined, of revising the existing terms of employment. (Paragraph 47 of Audit Instructions issued up to 31st October 1922.)

115. While a Government servant is in foreign service, contributions towards the cost of his pension must be paid to general revenues on his behalf. If the foreign service is in India, contributions must be paid on account of the cost of leave-salary also. Such contributions shall be paid by the Government servant himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

..... 1.—Pensions, throughout this chapter, include bonus, if any, payable to a Government servant's credit in a Provident Fund.

..... 2.—In the case of Government servants lent to His Majesty's Government or to British colonies or protectorates, the contribution is payable by the employer, except in the case of Government servants lent to the War Office, whose contributions are paid in accordance with special arrangements with the War Office.

S. R. 307. A copy of the orders sanctioning a Government servant's transfer to foreign service must always be communicated to the Account Officer (referred to in S. R. 308) by the authority by whom the transfer is sanctioned. The Government servant himself should, without delay, communicate a copy to the officer who audits his pay, and take his instructions as to the officer to whom he is to account for the contribution; report to the latter officer the time and date of all transfers of charge to which he is a party when proceeding on, while in, and on return from, foreign service; and

furnish from time to time particulars regarding his pay in foreign service, leave taken by him, his postal address and any other information which that officer may require.

S. R. 308. (a) In the case of foreign service out of India, the "Account Officer" is the Accountant General, Central Revenues.

(b) In the case of foreign service in India—

- (i) if pay in foreign service is paid from a Government Treasury, and is subject to audit by an audit officer of Government, the Account Officer is such audit officer;
- (ii) otherwise, the Account Officer is the Accountant General of the province in which the Municipality, Port Trust or other body concerned is situated or in the case of service under an Indian State, the Accountant General of the Government under whose administration the State is.

116. Contributions will be calculated on the pay drawn in foreign service. In return for the contributions the Governor General in Council or the local Government, as the case may be, accepts the charge for the pension, and if the foreign service is in India the leave-salary, of the Government servant. In calculating leave-salary and pension, the pay drawn in foreign service, less such part of it as may be paid as contribution, will count as pay for the purpose of rule 9 (2).

Audit Instructions.—(1) The Auditor General has decided that the orders in Government of India, Finance Department Resolution No. 35 F. B., dated the 18th January 1922, were not intended to place officers who were transferred to foreign service before 1st January 1922, and who have elected to come under the new leave rules in a better position in the matter of leave-salary than those transferred to foreign service subsequently. What was intended is that the principle of the rules in Fundamental Rule 116 should be applied to both cases of officers. The expression "their pay in foreign service" in clause (1) in the Resolution should therefore be taken as meaning "the pay drawn in foreign service less such part of it as may be paid as contribution".

(2) In the case of officers who are exempted from the payment of contribution, leave salary should be based on the actual pay in foreign service without regard to contribution, which would have been paid but for the exemption. (Auditor General's No. 617-A-186-22, dated the 7th September 1922 to Accountant-General, Bengal.)

117. The rate of contributions payable on account of pension and leave-salary shall be such as the Governor General in Council may by general order prescribe,

Government of India's orders.—(1) The following rates of contribution payable on account of pension and leave-salary have been laid down by the Government of India:—

For Indian Civil Service Officers.—For pension only 25 per cent. of pay actually drawn in foreign service.

For Indian Civil Service Officers.—For leave-salary and pension only 40 per cent. of pay actually drawn in foreign service.

For Military Officers.—For leave-salary and pension only 40 per cent. of pay actually drawn in foreign service (Provisional).

These rates came into force with effect from 27th January 1922 and will be leviable in the case of officers of the Indian Civil Service who are transferred to foreign service on or after that date. (Government of India, Finance Department, No. 64-E.B., dated the 27th January 1922.)

(2) The Governor-General in Council has decided that in the case of officers transferred to foreign service after 28th February 1924, to whom the Fundamental Rules do not apply, the rules regarding contributions, leave-salary and pension shall be the same as those applicable to Government servants whose employment on foreign service is governed by the Fundamental Rules. For the purpose of this ruling, a transfer to foreign service includes an extension of the term of employment of an officer who is already on foreign service. (Government of India, Finance Department, Resolution No. 323-C.S.R., dated the 28th February 1924.)

Audit Instructions.—The revised rates of foreign service contributions prescribed in paragraph 2 of Government of India, Finance Department letter No. 64-E.B., dated the 27th January 1922, apply also to officers who were transferred to foreign service prior to 27th January 1922 and the extension of whose service is sanctioned on or after that date but in such cases they take effect from the date from which the extension commences. (Audit Instruction Circular No. 1, dated 2nd February 1923.)

118. In addition to the contributions prescribed under rule 117, subscribers to any of the following pension funds must pay to Government a contribution equal to one-fourth or one-sixth of the premium paid to the fund:—

(a) Bengal Uncovenanted Service Family Pension Fund—One-fourth.

(b) Bombay Uncovenanted Service Family Pension

(i) Subscribers who joined the fund on or before the 12th November 1900—One-fourth.

(ii) Those who joined after that date—One-sixth.

(c) Bengal and Madras Service Family Pension Fund—One-sixth.

119. Subject to any general orders of the Governor General in Council, a local Government sanctioning a transfer to foreign service may—

- (a) remit the contributions due in any specified case or class of cases, and
- (b) make rules prescribing the rate of interest, if any, to be levied on overdue contributions.

The Government of India do not propose to issue any order under rule 119 (a). (Government of India, Finance Department, No. 1360-E.B., dated the 10th December 1921.)

S. R. 309. The local Government may remit contribution for any period for which a Government servant in foreign service is temporarily employed under Government on duties additional to or distinct from his duties in foreign service.

S. R. 310. The following Government servant is exempted from the payment of contribution for leave salary and pension :—Chairman, Calcutta Improvement Trust.

S. R. 311. If a contribution for leave-salary or pension which is due from a Government servant in foreign service is not paid within fifteen days from the end of the period to which it relates, the Government servant concerned must pay to Government interest on the unpaid contribution, at the rate of four pies a day per 100 rupees upon the amount due, from the date of expiry of the period of fifteen days up to the date on which the contribution is finally paid.

120. A Government servant in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension, or to pension and leave-salary, as the case may be, in accordance with the rules of the service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution paid, and no claim for refund can be entertained.

121. A Government servant transferred to foreign service may not, without the sanction of the local Government, accept a pension or gratuity from his foreign employer in respect of such service.

122. A Government servant in foreign service in India may not be granted leave otherwise than in accordance with the rules applicable to the service of which he

is a member, and may not take leave or receive leave-salary from Government unless he actually quits duty and goes on leave.

S. R. 312. A Government servant in foreign service in India is personally responsible for the observance of the rule regarding taking of leave and receiving leave-salary as contained in this Fundamental Rule. If he accepts leave to which he is not entitled under this rule, he renders himself liable to refund leave-salary irregularly drawn, and in the event of his refusing to refund, to forfeit his previous service under Government and to cease to have any claim on Government in respect of either pension or leave-salary.

123. A Government servant in foreign service out of India may, unless special arrangements as to leave have been made on his behalf by the authority sanctioning his transfer, be granted leave by his employer on such conditions as the employer may determine. The leave-salary on such leave will be paid by the employer, and the leave will not be debited against the Government servant's leave account.

124. A Government servant in foreign service, if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

125. A Government servant reverts from foreign service to Government service on the date on which he takes charge of his post in Government service; provided that, if he takes leave on the conclusion of foreign service before joining his post, his reversion shall take effect from such date as the local Government on whose establishment he is borne may decide.

S. R. 313. If a Government servant proceeds on leave from his foreign service appointment, he shall not ordinarily be considered to revert to Government service, unless and until he rejoins his post in British service.

126. When a Government servant reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer, and his contributions will be discontinued, with effect from the date of reversion.

S. R. 314. (1) The travelling allowance of a Government servant both when proceeding on transfer to foreign service, and when reverting to duty under Government shall be borne by the foreign employer.

127. When an addition is made to a regular establishment on the condition that its cost, or a definite portion of its cost, shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules:—

- (a) The amount to be recovered shall be the gross sanctioned cost of the service, or of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.
- (b) The cost of the service shall include contributions at such rates as may be laid down under rule 117, and the contributions shall be calculated on the sanctioned rates of pay of the members of the establishment.
- (c) A local Government may reduce the amount of recoveries or may entirely forego them.

Chapter XIII—Service under Local Funds.

128. Government servants paid from local funds which are administered by Government are subject to the provisions of Chapters I to XI of these rules.

Audit Instruction.—Employees of Local Funds administered by Government who are not paid from general revenues and are therefore not Government servants are subject to the provisions of Chapters I to XI of the Fundamental Rules. (Audit Instruction Circular No. 14, dated the 15th April 1924.)

129. The transfer of Government servants to service under local funds which are not administered by Government will be regulated by the rules in Chapter XII.

130. Persons transferred to Government service from a local fund which is not administered by Government will be treated as joining a first post under Government, and their previous service will not count as duty performed. A local Government may, however, allow previous service in such cases to count as duty performed on such terms as it thinks fit.

The Schedule.

(F. R. 78A.)

Provisions for the Determination of Domicile.

1. A person can only have one domicile.

2. The domicile of origin of every person of legitimate birth is in the country in which at the time of his birth his father was domiciled, or, if he is a posthumous child, in the country in which his father was domiciled at the time of the father's death.

3. The domicile of origin of an illegitimate child is in the country in which at the time of his birth his mother was domiciled.

4. The domicile of origin prevails until a new domicile has been acquired, and a new domicile continues until the former domicile has been resumed or another has been acquired.

5. (1) A person acquires a new domicile by taking up his fixed habitation in a country which is not that of his domicile of origin.

(2) Any person may, if the law of any country so provides, and subject to any such provisions, acquire a domicile in that country by making, in accordance with the said provisions, a declaration of his desire to acquire such domicile.

Explanation 1.—A person is not to be considered as having taken his fixed habitation in a country merely by reason of his residing there in His Majesty's civil or military service or in the exercise of any profession or calling.

Explanation 2.—A person does not acquire a new domicile in any country merely by reason of residing as part of the family or as a servant of any ambassador, consul or other representative of the Government of another country.

6. The domicile of a minor follows the domicile of the parent from whom he derives his domicile of origin :

Provided that the domicile of a minor does not change with that of his parent if the minor is married or holds any office or employment in the service of His Majesty or has set up with the consent of the parent in any distinct business.

7. After marriage a woman acquires the domicile of her husband if she had not the same domicile before and her domicile during the marriage follows the domicile of her husband :

Provided that if the husband and wife are separated by the order of a competent court or if the husband is undergoing a sentence of transportation, the wife becomes capable of acquiring an independent domicile.

8. Save as otherwise provided above a person cannot during minority acquire a new domicile.

9. An insane person cannot acquire a new domicile in any other way than by his domicile following the domicile of another person.

(Government of India, Finance Department, No. 1455-C.S.R., dated the 18th August 1923.)

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APPENDIX No. 1 (*omitted*).

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APPENDIX No. 2 (*omitted*).

Pages 191—226 (omitted).

APPENDIX No. 3.

[F. R. (56).]

Resolution.

Simla, the 5th July 1923.

No. 1533-E.—In exercise of the powers conferred by section 96-B (2) of the Government of India Act, the Secretary of State for India in Council has been pleased to make the following rules regulating the grant of overseas pay to members of services or to holders of posts for which he has sanctioned such pay.

2. The Secretary of State in Council has decided that these rules shall have effect from the 3rd January, 1921, and that the principles laid down in the rules shall be applied retrospectively from the dates on which overseas pay came into force for the various services or posts concerned. The object of the grant of retrospective effect is to place the grant of overseas pay on a uniform basis from its inception. An officer not entitled to overseas pay under these rules will not, however, be required to refund any amounts which he may have drawn in good faith.

3. It will be observed that under the rules an officer who has been promoted to an Imperial Service from a provincial or subordinate service or from an outside post and is of non-Asiatic domicile is entitled, subject to the proviso in rule 1 (a), to overseas pay from the date on which he became a member of the service. It has been decided that an officer who is admitted to an Imperial Service by promotion should become a member of that service in all respects and that there is no valid reason why he should be treated differently, in respect of overseas pay, from members of the service recruited from other sources. This decision will not, however, supersede that embodied in clause (I) of the Home Department resolution No. 1260, dated the 24th June 1920, because Provincial Civil Service officers on appointment to hold listed Indian Civil Service posts do not become members of the Indian Civil Service; they remain members of the Provincial Civil Service and it is considered that the pay fixed for them is a fair remuneration independently of overseas pay.

OVERSEAS PAY

1. Overseas pay at the rate or rates sanctioned for a particular service or post may be drawn by the following classes of officers serving in such service or holding such post, namely:—

(a) any officer having at the date of his appointment to such service or post his domicile elsewhere than in Asia:

Provided that no such officer shall be entitled to this concession who, prior to such appointment, has for the purpose of his appointment to any office under the Government or

of the conferment upon him by the Government of any scholarship, emoluments or other privilege, claimed or been deemed to be a native of India;

- (b) any officer having at the date of his appointment his domicile in Asia, to whom this concession has been extended by any general or special order of the Secretary of State in Council.

2. For the purposes of these rules, the domicile of a person shall be determined in accordance with the provisions set out in the Schedule to these rules:

Provided that a person who was born and has been educated exclusively in Asia, and has not resided out of Asia for a total period exceeding six months, shall be deemed to have his domicile in Asia.

3. No officer who after his appointment to a service or post acquires a new domicile shall thereby lose his right to or become entitled to overseas pay.

4. If any question arises as to the domicile of any officer at the time of his appointment, the decision thereon of the Secretary of State in Council in the case of persons appointed by him, of the Governor General in Council in the case of persons appointed by him, or of the local Government in the case of persons appointed by them, shall be final.

THE SCHEDULE.

Provisions for the determination of Domicile.

1. A person can have only one domicile.

2. The domicile of origin of every person of legitimate birth is in the country in which at the time of his birth his father was domiciled, or, if he is a posthumous child, in the country in which his father was domiciled at the time of the father's death.

3. The domicile of origin of an illegitimate child is in the country in which at the time of his birth his mother was domiciled.

4. The domicile of origin prevails until a new domicile has been acquired, and a new domicile continues until the former domicile has been resumed or another has been acquired.

5. (1) A person acquires a new domicile by taking up his fixed habitation in a country which is not that of his domicile of origin.

(2) Any person may, if the law of any country so provides, and subject to any such provisions, acquire a domicile in that country by making, in accordance with the said provisions, a declaration of his desire to acquire such domicile.

Explanation 1.—A person is not to be considered as having taken his fixed habitation in a country merely by reason of his residing there in His Majesty's civil or military service or in the exercise of any profession or calling.

Explanation 2.—A person does not acquire a new domicile in any country merely by reason of residing as part of the family or as a

servant of any ambassador, consul, or other representative of the Government, of another country.

6. The domicile of a minor follows the domicile of the parent from whom he derives his domicile of origin :

Provided that the domicile of a minor does not change with that of his parent if the minor is married or holds any office or employment in the service of His Majesty or has set up with the consent of the parent in any distinct business.

7. After marriage a woman acquires the domicile of her husband if she had not the same domicile before and her domicile during the marriage follows the domicile of her husband :

Provided that if the husband and wife are separated by the order of a competent court or if the husband is undergoing a sentence of transportation, the wife becomes capable of acquiring an independent domicile.

8. Save as otherwise provided above a person cannot during minority acquire a new domicile.

9. An insane person cannot acquire a new domicile in any other way than by his domicile following the domicile of another person.

APPENDIX No. 4.

(F. R. 44, S. R. 20.)

List of Permanent Monthly Travelling Allowance.

	Rate of Permanent Travelling Allowance.
<i>Land Revenue—</i>	<i>Rs.</i>
Sub-Deputy Collector stationed in the Island of Kutubdia in the District of Chittagong	20
Four Amins, Chittagong Hill Tracts	12
Four Sub-Managers, Khas Tahsil Office, Midnapur	25
Tashildars of Daudkandi and Chandpur in Tippera for 8 months in the year	25
Tashildars of Muradnagar and Faridganj for 6 months in the year	25
<i>Excise and Salt—</i>	
Excise Sub-Inspector, Mymensingh	25
Sub-Deputy Collector of Nowgong employed on supervising ganja cultivation	25
Assistants to the Ganja Supervisor, Rajshahi	20
<i>Forest—</i>	
Forest Revenue Collectors managing protected forests in the Sundarbans of the Backerganj District	50
Rangers in charge of Goompahar and Sonchal Ranges in the Darjeeling Division	30
Rangers in charge of Mahaldaram Range of the Darjeeling Division	25
<i>General Administration —</i>	
Commissioners of Divisions	250
Sub-Deputy Collectors employed } in dry districts	50
in circle work. } in river districts including boat allowance	75
<i>Law and Justice—</i>	
Registrar, Presidency Magistrate's Court	50
<i>Police—</i>	
Superintendent of the River Police, Bengal	150
Assistant Superintendent and Deputy Superintendent of the River Police, Bengal	100
Inspectors of the River Police, Bengal	30
Sub-Inspectors of the River Police, Bengal	15
Assistant Sub-Inspectors and Head Constables of the River Police, Bengal	5
Constables of the River Police, Bengal	5

Rates of
Permanent
Travelling
Allowance.

Police—concd.

	Rs.
Four Sub-Inspectors, Dacca	26
One Sub-Inspector, Dacca	20
Two Inspectors, Faridpur	30
Two Sub-Inspectors, Faridpur (fixed boat allowance)	20

N.B.—Classification of districts into river and dry for the purpose of fixed travelling allowances of Circle Officers :—

District and Subdivision.	River period.	Dry period.
Dacca	Whole year .. .. .	.....
Munshiganj	Do. .. .. .	.....
Narsinganj	June to October	November to May.
Manickganj	Do.	Do.
Jaipalguri (whole division) .. .. .	.....	Whole year
Fabna (whole division)	June to October	November to May
Rangpur .. .. .	.....	Whole year
Nilphamari .. .. .	.....	Do
Gaibandha .. .. .	.....	Do
Kurigram	June to October	November to May.

Education—

The Inspecting Pandit of the Primary Schools within the South Suburban, Maniktola, Kossipore-Chitpore, and Baranagar Municipalities in the district of 24 Parganas	5
Sub-Inspector of Schools, Bakerganj (Boat allowance)	40
Sub-Inspectors of Schools, Dacca (Boat allowance)	40
One Industrial Zenana Governess, Dacca	20
One Assistant Sub-Inspector of Schools in Bankura for inspecting Sonthal Schools	20
One Assistant Sub-Inspector of Schools in Midnapur	20

Agriculture—

Principal of the Veterinary College, on condition that he maintains a four-seated Motor Car	150
Assistant Inspector of Smoke Nuisance, Bengal	75
Superintendent in charge of the Government Agricultural Farms at Dacca	15

Public Works Department—

Superintending Engineer, Presidency Circle, on condition that he maintains a Motor Car in a condition fit for travelling	150
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APPENDIX No. 5.

(F. R. 44, S. R. 32.)

List of conveyance or horse allowances.

<i>Land Revenue—</i>	Rate of conveyance allowances
Rs	
Four Sub Managers (provided a horse is actually maintained) of the Jalamutha and Majnamutha Estates in Midnapur District	25
Sub Deputy Collectors and Tashildars of Falakata, Mynaguri, Alipur, Jalpaiguri	20
Probationary Deputy Collector on training in the Survey and Settlement Department, Mymensingh (provided a horse or a pony is actually kept) ..	30
Probationary Sub Deputy Collector on training in the Survey and Settlement Department, Mymensingh (provided a horse or a pony is actually kept) ..	20
Probate Deputy Collector, Calcutta ..	100
Settlement Kaungoes ..	20
<i>Excise and Salt</i>	
Two Superintendents of Excise and Salt, Calcutta, on condition that they maintain a motor car each	100
[NOTE—The allowance may be increased to Rs 150 if the car maintained is a four seated one.]	
Superintendent, Excise and Salt in charge of the Excise Intelligence Bureau	75
Four Sub Inspectors of Excise and Salt, Rajshahi	30
One Inspector, Ganja Mahal, Naogaon, Rajshahi	25
Nine Sub Inspectors of Excise and Salt, Calcutta	45
Thirteen Inspectors of Excise and Salt, Calcutta	75
One Inspector, Excise Intelligence Bureau, Calcutta	50
One Inspector, Russa Distillery, Calcutta	30
<i>Forest—</i>	
Forester in charge of Birch Hill and Lebong Park	22
<i>Audit—</i>	
Examiner of Outside Accounts, Calcutta, on condition that he maintains a motor car	100
[NOTE—The allowance may be increased to Rs 150 if the car maintained is a four-seated one.]	
<i>Law and Justice—</i>	
Coroner of Calcutta	36
Public Prosecutor, Calcutta	50
<i>Jails—</i>	
Deputy Superintendent, Central Jail, Alipur ..	25

Police—

Superintendent in charge Intelligence Branch, Criminal Investigation Department	150
Superintendent of Police, Dacca and Howrah, on condition that they maintain motor cars and that no other travelling allowance will be admissible for journeys beyond a radius of 5 miles when the journey out and back is completed in one day	100

[NOTE.—The allowance may be increased to Rs. 150 if the car maintained is a four-seated one.]

Additional Superintendent of Police, Dacca, on condition that he maintains a two-seated motor car and that he does not draw any other travelling allowance for journeys beyond a radius of 5 miles from his headquarters, when the journey out and back is completed in one day	100
Assistant Commissioners, Calcutta	75
Deputy Commissioners, Calcutta	100

[NOTE.—In the case of an officer who provides himself with a four-seated motor car, the allowance may be increased to Rs. 150.]

Deputy Superintendent or Assistant Superintendent in charge of the Dacca and Howrah Town Police	50
One Inspector attached to the Passport and Pass Department of the Calcutta Police	50(a)
Inspectors of the Calcutta City Police and other Subordinate Police officers attached to it whom the allowance may be granted by the Local Government	25(a)
Sergeant at Budge-Budge in the District of 24 Parganas	25(a)
Sub-Inspectors, Calcutta City Police	20(a)

[(a) NOTE.—All these allowances are granted on production of a certificate to the effect that necessary means of conveyance have been maintained. Their drawal during leave is governed by the rules made under Fundamental Rule 93.]

Armed, Town, Prosecuting and Reserve Inspectors (including Prosecuting Inspector of the Railway Police but not Circle Inspectors and those attached to Training College, Constable's Training Schools and Railway and River Police)	30(b)
Inspectors and other Subordinate Police Officers in the Criminal Investigation Department to whom the allowance may be sanctioned by the Local Government	30(b)
One Inspector of the Detective Department, Howrah	30(b)
Sergeants and Sub-Inspectors (including those employed in the Finger Print Bureau but not those attached to the Railway or River Police)	30(b)

[(b) NOTE 1.—The allowance is granted on the production of a certificate that a horse is actually maintained. It may not be drawn during joining time. Its drawal during leave is governed by the rules made under Fundamental Rule 93. Police Inspectors and Sub-Inspectors and Sergeants in mufassal towns may draw a conveyance allowance of Rs. 10 a month on furnishing two certificates one for maintaining a bicycle instead of a horse and another to the effect that the Superintendent of Police recognises this means of conveyance as sufficient and suitable. Those in Calcutta (including Beaklah and Alipore) and Howrah (Sudder) may draw a similar allowance of Rs. 30 a month, subject to no condition. The Sergeants of the Dacca City Police for whom horses are maintained at the cost of Government draw the allowance subject to no condition. The Inspectors of Dacca City Police for whom a horse is maintained at the expense of Government draw conveyance allowance of Rs. 10 a month on condition that they keep a bicycle. Sub-Inspectors on deputation to the Finger Print Bureau may draw conveyance allowance on the same scale as drawn by them previous to their deputation, provided they maintain conveyance in the district to which they are permanently attached.

[NOTE 2.—The fixed conveyance allowance of Rs. 30 drawn by Sub-Inspectors of Police is not forfeited when daily allowance is drawn.]

				Date of conveyance allowances.
<i>Police—concl.</i>				Rs.
Nine Head Constables, Darjeeling (Fony allowance)	..			20
Four Inspectors, C. I. D.	..	..	..	30
Three Sub-Inspectors, C. I. D.	..	..	..	30
<i>For River Police (Narasungun)</i>				
5 Inspectors	..	..	..	30
34 Sub-Inspectors	.	..	..	15
34 Head Constable and Assistant Sub-Inspectors	..		..	7
Constables	.		.	5
<i>Port and Pilotage—</i>				
First Engineer and Shipwright Surveyor, Calcutta	..			150
Second Engineer and Shipwright Surveyor, Calcutta	.			150
Third Engineer and Shipwright Surveyor, Calcutta	..			100
Port Officer, Calcutta	.	..		100
Assistant Shipping Master, Calcutta	..		.	30
Banking Clerk of the Branch Shipping Office, Kidderpore	..			2½
Agent for Government Consignments, Calcutta	.	..		50
Assistant Agent for Government Consignments	.			50
Engineer and Shipwright Surveyor, Chittagong	..			30
<i>Inspecting Staff of the Agent for Government Consignments, Calcutta.—</i>				
Head Inspector	.	.	..	45
Senior Sub-Inspector	.		..	30
Junior Sub-Inspector	.	.	..	30
Overseer	.		..	25
<i>Education—</i>				
Director of Public Instruction, Bengal, on condition that he keeps and maintains a motor car	..		..	100
Inspectress of Schools, Dacca, Rajshahi and Chittagong Divisions	..	..	..	35
Sub-Divisional Inspectors of Schools, Calcutta	..		..	35
Inspectress of Schools, Presidency and Burdwan Divisions and European Girls' Schools, Bengal, provided she keeps a motor car	..	..	..	100
Principal, Bengal Engineering College, on condition that he keeps and maintains a motor car	..		..	100
Inspector of European Schools, stationed in Calcutta for journey in Calcutta and Suburbs	..		..	30
Sub-Inspectors of Schools, Calcutta	.	..	..	30
Principal, David Hare Training College	..		..	20
Inspector or Additional Inspector of Schools in charge of Calcutta Schools	..	..	..	35
Inspector of Residence of Medical College Students in Calcutta	..			30
Governesses (three) engaged in the instruction of Zenana pupils at Dacca	..	..	..	24
One Urdu Zenana Governess, Dacca	..	..	..	30

	Rate of conveyance allowance.
Education—contd.	Rs.
Assistant Inspectress of Schools, Dacca and Comilla each ..	30
“ “ “ Presidency Division ..	45
One Inspecting Moulvie in Calcutta	15
Pandits, employed for the inspection of Patahalas in connection with the scheme for the administration of Primary Education in Calcutta	5
Sub-Inspector of Schools, Sadar Circle, Howrah (subject to the condition that the maximum monthly allowance of Rs. 30 sanctioned is not exceeded)	15
Assistant Inspector of Schools, Muhammedan Education, Presidency Division	10
Inspector of Residence of Students, Dacca	30
Two Governesses, Bogra, one Zenana Governess, Jalpaiguri, Tippera, Faridpur, Mymensingh, Rangpur, Chittagong and Noakhali, each	20

Medical—

Medical Inspector, Emigrants, Calcutta (Inland Emigration) ..	60
Assistant to the Civil Surgeon, 24-Parganas	20
Superintendent and Medical Officer of the Albert Victor Asylum for Lepers, Gobra, Calcutta	15
Assistant Surgeon in charge of the Police Ward of the Dacca Mitford Hospital (provided his rank is not higher than that of 3rd grade Assistant Surgeon)	10
Military Hospital Assistant attached to Survey parties, Bengal. (Subject to the condition that in the place of fixed conveyance allowance, the usual daily allowance is admissible to them during the field season, and an increased rate of horse allowance at Rs. 15 per mensem during the recess) ..	7½
Sub-Assistant Surgeons placed in temporary charge of a Civil Station in the absence of the Civil Surgeon of 24-Parganas from Head-quarters on inspection duty for more than 7 months	25

Public Health—

Superintendent of Vaccination, Suburbs, Calcutta ..	25
Health Officer of the Port of Calcutta	100
3 Assistant Health Officers of the Port of Calcutta ..	50
Assistant Director of Public Health, School of Hygiene ..	35
Assistant Surgeon for School of Hygiene	35
Medical Inspectors of Schools	35
For Superintendents and Assistant Superintendents of Vaccination, the districts in the Presidency of Bengal are divided into two classes, viz., (a) dry districts and (b) wet or river districts, thus—	

(a) Dry Districts—

1. Burdwan.	9. Dinajpur.
2. Birbhum.	10. Jalpaiguri.
3. Bankura.	11. Rangpur.
4. Midnapur.	12. Bogra.
5. Hooghly.	13. Pabna.
6. Nadia.	14. Malda.
7. Murshidabad.	15. Darjeeling.
8. Rajshahi.	16. Chittagong.
	17. Tipperah.

Rate of
conveyance
allowances.

Public Health—concl'd.

Rs.

(b) Wet or River Districts—

- | | |
|-----------------|-----------------------------|
| 1. Howrah. | 6. Mymensingh. |
| 2. 24-Parganas. | 7. Faridpur. |
| 3. Jessore. | 8. Bakarganj. |
| 4. Khulna | 9. Noakhali. |
| 5. Dacca | 10. Chittagong Hill Tracts. |
2. In dry districts each Superintendent of Vaccination is permitted to draw
- (i) the travelling allowance admissible under the rules for journeys by rail or steamer or both; no mileage allowance is allowed;
- (ii) a pony allowance of Rs. 20 per mensem when a pony is actually maintained;
- (iii) a daily allowance of annas 12 except in the Darjeeling District where Re. 1-8 0 is allowed.
3. Each Assistant Superintendent should draw travelling and pony allowance as in rule 2(i) and (ii) and a daily allowance of annas 8 except in the Darjeeling District where Re. 1 is allowed.
4. In wet or river districts each Superintendent of Vaccination is entitled to mileage allowance without any restrictions as to the distance travelled, but subject to the maximum of Rs. 40 per mensem during the working season (October to March) and of Rs. 20 per mensem during the recess (April to September).
5. Rule 4 also applies to an Assistant Superintendent except that the maximum mileage allowance in his case is limited to Rs. 30 per mensem during the working season and Rs. 15 per mensem during the recess.

NOTE.—The maximum limits prescribed in rules 4 and 5 have been increased by fifty per cent in case of Chittagong Hill Tracts.

Industries—

Industrial Engineer	100
Electrical Inspector to the Government of Bengal	35

Miscellaneous Departments—

Protector of Emigrants and Superintendent of Emigration, Calcutta	100
Arms Act Inspector, Calcutta, for inspecting places, licensed for the storage of petroleum and carbide of calcium in the town and its suburbs	50
Arboricultural Expert, Bengal	30
European Assistant Gardeners of Cinchona Plantation, Darjeeling	20
Curator of the Lloyd Botanical Garden at Darjeeling	30
Assistant Superintendent of the Cinchona Plantation, Darjeeling	40
Manager, Cinchona Plantation Kurseong for maintaining 2 ponies	60
Assistant Manager, Cinchona Plantation, Kurseong	30
Chief Inspector of Factories, Bengal { two seated car	100
{ four seated car	150
Inspectors of Factories, Bengal	100

Rate of
conveyance
allowances.

Rs.

Miscellaneous Departments—concd.

Chief Inspector of Smoke Nuisances in Bengal for four-seated motor-car	150
[For inspection of Factories situated within a radius of 5 miles from head-quarters, subject to production of a certificate of maintenance of a four seated motor car.]	
Chief Inspector of Boilers, Bengal, for a four-seated motor car	150
Assistant Inspector of Boilers, subject to maintenance of a motor car	100
Labour Intelligence Officer, for a four-seated motor car ..	150
Certifying Surgeon of Factories, subject to maintenance of a motor car	100
Assistant Electric Inspector	50

Stationery and Printing—

Superintendent, Government Printing, Bengal	50
[So long as he is employed on the duty of supervising the work of the two Branches of the Bengal Secretariat Press at Sealdah and 13 Elysium Row, Calcutta.]	

Public Works and Irrigation Departments—

Executive Engineer, 1st Calcutta Division, 2nd Calcutta Division, 3rd Calcutta Division	75
Executive Engineer, Electrical Division	75
Electrician, Dacca	50
Plumbing Experts	50
Supervisors and Overseers	30
Overseers of the Subordinate Engineering Service and lower Subordinates (to be increased to Rs. 22-8 when the price of staple food is increased)	15
Jilladars	15
Sub-Assistant Surgeons	15
Cashier	15

APPENDIX No. 6.

(F. R. 44, S. R. 57.)

List of Daily Allowances.

Designation of officers.	Rate of daily allowance.
<i>Land Revenue—</i>	Rs. A.
Director of Land Records	7 8
Settlement Officers, Assistant Settlement Officers, Assistant Director of Surveys, Officers of the Bengal Provincial Service of the Survey of India, Deputy Collectors and Sub-Deputy Collectors employed on Survey work in Bengal,	
Officers on Rs. 750 or upwards	7 8
Officers below Rs. 750	50% more than ordinary rate subject to a maximum of Rs. 5.

NOTE.—For journeys by boat in the Chittagong and Dacca Divisions and district of Jessore, Khulna and 24-Parganas, ordinary daily allowance for special localities under S. R. 61.

Sub-Deputy Collectors when engaged on land acquisition or partition work and Sub-Deputy Collectors in the Western Duars of Jalpaiguri.	50% more than ordinary rates subject to a maximum of Rs. 5.
Sub-Deputy Collectors in charge of the Khasmahals in the district of Faridpur.	

NOTE.—Not subject to increase under S.R. 61.

Excise and Salt—

Commissioner of Excise and Salt	7 8
Deputy Commissioner of Excise and Salt	7 8
First class Superintendents of Excise and Salt	7 8
Second class Superintendents of Excise and Salt and Inspectors in charge of a district	50% more than the ordinary rates subject to a maximum of Rs. 5.
Other Second class officers	50% more than ordinary rates subject to a maximum of Rs. 3-8.
Third class Officers	2 0

* NOTE.—The allowance to Sub-Inspector is admissible for all days spent on tour for which travelling allowance is admissible but no mileage will be allowed for journeys on tour.

Designation of officers.	Rate of daily allowance.
<i>Excise and Salt—conold.</i>	Rs. A.
Petty officers of Excise and Salt Department	0 6
<p>NOTE.—The allowance is admissible for all days spent on tour for which travelling allowance is admissible but no mileage is allowed for journeys on tour. For boat journeys in water districts, the allowance is not to be increased under S. R. 61. But when a boat is actually hired, actual expenses may be allowed in addition to the allowance.</p>	
<i>Forests—</i>	
Conservator of Forests	7 8
Extra Assistant Conservators and Probationers in the Provincial Forest Service	50% more than the ordinary rates subject to a maximum of Rs. 5.
<i>Registration—</i>	
Inspector General of Registration	7 8
Inspector of Registration Offices	5 0
<i>General Administration—</i>	
Secretary to the Local Government	7 8
Member of the Board of Revenue	7 8
District officers (Collectors and Commissioners)	7 8
Deputy Secretaries to Government and Secretary to the Board of Revenue	7 8
<i>Administration of Justice—</i>	
Judges of the High Court	15 0
District and Sessions Judges including the Legal Remembrancer—	
(i) when travelling with camp equipment	7 8
(ii) when travelling without camp equipment	7 8
<i>Jails—</i>	
Inspector General of Prisons	7 8
<i>Police—</i>	
Inspector General of Police	7 8
Deputy-Inspectors General of Police	7 8
<i>Education—</i>	
Director of Public Instruction	7 8
<p>Sub-Inspectors of Schools subject to the condition that no mileage is admissible and that the total amount drawn in any one month does not exceed Rs. 43</p>	
	2 0
<p>Assistant Sub-Inspectors of Schools subject to the condition that no mileage is admissible and that the total amount drawn in any one month does not exceed Rs. 36</p>	
	1 8
<i>Medical—</i>	
Surgeon General to the Government of Bengal	7 8

Designation of officers.				Rate of daily allowance.
				Rs. A.
<i>Public Health—</i>				
Director of Public Health	..	..	..	7 8
Chief Engineer, Public Health Department	..	..	..	7 8
<i>Agriculture—</i>				
Director of Agriculture	..	..	..	7 8
Registrar, Co-operative Societies	..	..	..	7 8
Veterinary Adviser	..	..	..	7 8
<i>Industries—</i>				
Director of Industries	..	..	..	7 8
<i>Public Works—</i>				
Chief Engineer (Public Works and Irrigation)	..	..	..	7 8
Superintending Engineers	..	..	..	7 8
Inspectors of Lightning Conductor, Bengal—				
when travelling in Bengal, Bihar and Orissa	..	..	..	2 0
NOTE.—The allowance is increased to Rs. 3 when travelling in Assam.				

APPENDIX No. 7.

(F. R. 44, S. R. 61.)

List of special rates of daily allowances and mileage admissible for journeys in special localities.

[In the localities mentioned below daily allowances are subject to increase in the proportion stated. The rate of allowance of an officer who spends part of a day in one of those localities and part in a place in which the ordinary rate prevails is determined according to the place where he halts after the journey.]

Localities.	Special rates admissible.
Darjeeling and Calcutta	.. Double rate of daily allowance ordinarily admissible subject to a maximum of Rs. 12. <i>Note.</i> —The postdar attached to the Siliguri Sub-Treasury when accompanying remittance to Darjeeling—Re. 1-8 as daily allowance.
River districts in Eastern and West Bengal.	* Sub-Inspectors of Schools employed in a river district may be granted by the Commissioner of Division a boat allowance not exceeding Rs. 40 a month during the marching season, subject to the condition that no allowance except railway fare may be drawn in addition to this allowance. The following allowances have also been sanctioned for the districts noted:— Rs. 40 a month during the whole year.
Dacca and Bakarganj districts - Sadar & Madaripore sub- divisions of Faridpur.	.. Rs. 40 a month from June to November.
Goalundo subdivision	.. Rs. 40 a month from June to October.
Mymensingh district	.. Rs. 40 a month from 15th June to 15th November provided boats are actually kept up but under special circumstances the allowance may be granted outside this period on certificate that boats were kept up and paid for during the period covered by the claim.
Chittagong Division	.. For journeys by boat and not by steamer half as much again or 50 per cent. on the ordinary rate of daily allowance provided a certificate of maintenance of the boat is furnished.
Khulna, Jessore and 24-Parganas	.. Officers travelling within the State of Hill Tipperah get their travelling and daily allowance increased by 50 per cent.
Hill Tippera	For journeys by boat only additional 50 per cent. in daily allowance. <i>N.B.</i> —These rates are intended to cover the expenses involved in the hiring of private boats only and are not admissible for journeys by steamers in these districts, but officers may draw at these rates when they travel in Government boats for which they pay a daily rate of hire and have to maintain a crew. Certificate must be given that the boat was retained.
Chittagong and Dacca Divisions and Pabna districts.	.. All classes of Forest Officers serving in the Chittagong Collectorate an increase of 50 per cent. of daily rate of travelling allowance whether they travel by boat or land.
Chittagong Hill Tracts	.. Additional 50 per cent. on daily allowance and mileage.

APPENDIX No. 8.

(F. R. 44, S. R. 64.)

List of headquarters of different Government servants.

PART I.

Government servants.	Headquarters.
<i>6.—Excise.</i>	
1. Inspectors of Excise and Salt of the Southern Circle comprising the Presidency and Burdwan Divisions.	Calcutta.
<i>9.—Registration.</i>	
2. Inspector of Registration Offices	Calcutta.
<i>24.—Administration of Justice.</i>	
3. Additional District and Sessions Judge—	
(1) Chittagong and Tippera	Comilla.
(2) Jessore and Khulna	Khulna.
4. Judge, Small Cause Courts, Howrah, Hooghly, Serampore.	Serampore.
<i>26.—Police.</i>	
5. Superintendent of Police, East Indian Railway ..	Howrah.
6. Superintendent of Police, Bengal Nagpur Railway ..	Kharagpur.
7. Superintendent of Police, Eastern Bengal Railway ..	Sealdah.
8. Superintendent of Police, Eastern Bengal Railway, Saidpur.	Saidpur.
9. Police Officers under the Deputy Commissioners of Police, Southern Divisions—Suburbs.	Collector's Court at Alipur.
10. Superintendent of Rivor Police	Dacca.
11. Commandant, Eastern Frontiers Rifles, Dacca ..	Dacca.
<i>31.—Education.</i>	
12. Assistant Inspectors of Schools for Muhammadan Education.	Divisional headquarters.
<i>33.—Public Health.</i>	
13. Director, Bengal Public Health Laboratory ..	Calcutta.
14. Assistant Director of Public Health, Presidency Circle	Calcutta.
15. Assistant Director of Public Health, Burdwan Circle	Chinsurah.
16. Assistant Director of Public Health, Dacca Circle ..	Dacca.
17. Assistant Director of Public Health, Rajshahi Circle	Jalpaiguri.
18. Assistant Director of Public Health, Malaria Research, Eastern and Western Bengal.	Calcutta.
19. Assistant Director of Public Health, School Hygiene	Calcutta.
20. Assistant Director of Public Health, Vaccination and Vital Statistics.	Calcutta.
21. Medical Inspectors of Schools	Calcutta.
22. Inspector of Septic Tank Installation	Calcutta.
23. Entomologist	Calcutta.
24. Executive Engineer, Public Health Department, Dacca Division.	Dacca.
25. Other Executive Engineers, Public Health Department	Calcutta.

Government servants.

Headquarters.

34.—Agriculture.

- | | |
|---|---------------------|
| 26. Director, Civil Veterinary Department | Dacca. |
| 27. Deputy Director of Agriculture, Western Circle, Burdwan and Presidency Divisions. | Calcutta. |
| 28. Deputy Director of Agriculture, Eastern Circle, Dacca and Chittagong Divisions. | Dacca. |
| 29. Deputy Director of Agriculture, Northern Circle, Rajshahi Division. | Rungpur. |
| 30. Deputy Collector on special duty in the Co-operative Department in charge of work of Rajshahi Division. | Naogaon (Rajshahi). |
| 31. Deputy Registrar of Co-operative Societies .. | Calcutta. |
| 32. Fibre Expert to Government | Dacca. |

37.—Miscellaneous Departments.

- | | |
|--|--------------------------------|
| 33. Officers moving with the Local Government .. | Calcutta, Dacca or Darjeeling. |
|--|--------------------------------|

List of headquarters with jurisdiction.

PART II.

Designation.	Headquarters.	Jurisdictions.
1. Assistant Inspectress, Presidency Division.	Calcutta ..	24 Parganas, Jessore and Khulna.
2. Assistant Inspectress, Burdwan Division.	Burdwan ..	Hooghly, Burdwan and Birbhum.
3. Assistant Inspectress, Dacca	Dacca ..	Dacca and Mymensingh.
4. Assistant Inspectress, Comilla.	Comilla ..	Chittagong Division.
5. Assistant Inspectress, Rajshahi.	Jalpaiguri ..	Rajshahi Division.
6. Special Assistant Inspectress of Schools, Calcutta.	Calcutta	Calcutta.
7. Assistant Inspectress for Zenana Work and Mahomedan Education for the Presidency and Burdwan Divisions.	Calcutta ..	Presidency and Burdwan Divisions.
8. Additional Assistant Inspectress of Schools, Presidency Division.	Berhampore ..	Murshidabad and Nadia.
9. Additional Assistant Inspectress of Schools, Burdwan Division.	Midnapore ..	Howrah, Bankura and Midnapore.
10. Additional Assistant Inspectress of Schools, Dacca Division.	Faridpur ..	Faridpur and Bakarganj.

APPENDIX No. 9.

(F. R. 44, S. R. 65.)

List showing the spheres of duty of different Government servants.

Serial No.	Designation	Place or places where the officer may proceed	Purpose of journey.	REMARKS
1	Excise and Salt Peons	District in which they serve, and not merely the Circle in which they are employed	.	C
2	All Superintendents of Police	Within or without the province	Attending co-operation meetings held in accordance with Rule 17, Chapter II of the Bengal Police Code	The travelling allowance bills in every such case should be countersigned by the Inspector-General of Police instead of by the District Officer
3	Dy Inspector-General, C I D	Beyond the limits of province	On public duty as occasion may arise	A report should be made to the Audit office on each occasion that the journey performed beyond jurisdiction is in accordance with the general order. N.B.—He may make journey to Calcutta whenever the exigencies of public service require such a journey
4	Superintendent, Railway Police, Saidpur	Scaldah in Bengal	When necessary in the exigencies of the public service	.....
5	Inspectors of Police	Area comprised within the several Police Stations they inspect		..
6	Sub-Inspectors of Police and Head Constables	Police station to which they are attached		..
7	Court Sub-Inspectors	Area of the police station within the limits of which the Court to which they are attached is situated		.....
8	Constables ..	Conterminous with the limits of the police station to which they are attached or within which they are employed	...	.....
9	Constables attached to Reserve.	Conterminous with the jurisdiction of the Inspector within whose circle the Reserve is situated.		..
10	Sergeants, Sub-Inspectors and Head Constables attached to Court, Reserve or Town.	Police station within the limits of which such Court, Reserve or Town is situated		
11	Officers of all ranks employed in the C. I. D. (including the I B.)	City of Calcutta	...	.....

No.	Destination	Place or places where the officer may be posted.	Purpose of journey.	Remarks.
12	Court, Reserve or Town Inspectors.	Headquarters of the stations to which they are attached.	.....	.....
13	Subordinate Police Officers in all D. I. B. and District Police Detective Departments at Akper and Bowrah.	Headquarters stations of the district to which they are attached.	.....	.....
14	Registrar, Co-operative Societies.	Beyond the limits of the province.	To attend the annual conferences of Provincial Registrars.	.....

APPENDIX No. 10.

(F. R. 44, & R. 66.)

List of officers not entitled to travelling allowance for journeys on tour.*Land Revenue—*

1. Kanungos in the Bakarganj District. Kanungos in the Bakarganj district are entitled to a fixed monthly travelling allowance of Rs. 55 subject to the production of a certificate to the effect that a boat and a crew of three men were kept for all the days for which the allowance is claimed. The rate may be raised to Rs. 70 or Rs. 85, according as they are directed by the Collector to maintain a boat with a crew of four or five men respectively, and on presenting a certificate to the effect that such a boat was maintained for all the days for which the allowance is claimed.
2. Khanapuri Kanungos temporarily appointed for settlement duty. Entitled to no travelling allowance except actual railway fare of their class when travelling on duty by rail.
3. Tahsildars and Tahsili officials. All clerks and Mohurrirs attached to Tahsil offices are not entitled to travelling allowance except as follows :—
 Tahsildar and Tahsili officials in Chittagong Division are entitled to travelling allowance. Tahsildars in the Dacca Division and the Tahsildar of Chandkhali in the district of Khulna are entitled to travelling allowance for journeys by boat. Khas Mahal Tahsildars of the Dacca Division are entitled to halting allowance for halts made in the course of a journey by boat on production of a certificate from the Controlling Officer that the hire of the boats had to be paid during each such halts.
 Tahsili officials whose duties are not immediately directed to the collection of rent, may be allowed to draw travelling allowance under the ordinary rules by the Board of Revenue, if the latter are satisfied in each case that the pay of the official concerned was not fixed so as to compensate him for ordinary journeys other than journeys by rail or steamer.

Excise and Salt—

4. Peons (Rs. 14—19) of the combined Excise and Salt Department. Entitled to actual expenses on account of boat hire and ferry charges.

Forest—

5. Deputy Rangers and few Foresters not in charge of Ranges and Forest Guards. Entitled to travelling allowance at ordinary rates under orders of the Local Government, when their duties necessitate keeping of a horse or a pony or other carriage.

Registration—

6. Registrar

Any sum received by a District Registrar of Births, Deaths and Marriages, as travelling expenses for attendances at a private residence from those at whose request the visit is paid, may be appropriated by the District Registrar, but for such attendances, he is not entitled to any travelling allowance from Government.

Administration of Justice—

7. Process servers and Bailiffs.

Process servers and Bailiffs employed in Civil, Criminal and Revenue Courts are not entitled to travelling allowance except for journeys by Rail or Steamer.

They are exempted when travelling on duty from the payment of ferry tolls.

[NOTE.—Revenue Nazirs and Naib Nazirs are not included in this entry and are entitled to travelling allowance for journeys in the interior of the district.]

Police—

8. Police Officers and men of all grades (including those employed in the Criminal Intelligence Department*) below the rank of Inspectors, with the under-mentioned exceptions :—

Entitled to have their necessary baggage, including utensils, conveyed at Government expense when employed on escort duty.

(i) Officers of and below the rank of Sub-Inspectors.

(1) Entitled to draw daily allowance at the ordinary rates for all journeys on duty of more than 15 miles from their head-quarters, provided that, in the case of officers attached to a police station, the place to which they travel is beyond the limits of the police-station.

(2) In special cases where an officer is required to make rapid journey by road, actual reasonable expenses may be allowed by the Local Government.

(3) The fixed conveyance or horse allowance drawn by Sub-Inspectors will not be affected by the grant of daily allowance.

(ii) Head Constables and Constables, who are not in receipt of permanent monthly travelling allowance.

May draw actual expenses for journeys by boat where this is the ordinary mode of travelling.

(iii) Constables of the river police when deputed to travel on inland passenger steamers.

Entitled to draw a daily allowance of four annas in addition to a free pass or the amount of the fare for every day on which they are absent from headquarters for more than 8 hours.

* The ordinary jurisdiction of this establishment is confined to a radius of 20 miles from the headquarters of each sub-agency.

Police—concl'd.

- (iv) Native officers, Non-commissioned officers and men of the Military Police. May charge for the conveyance of their baggage in all cases in which journeys are undertaken on duty under proper authority when permanent transport is not available and when the conveyance of baggage is certified to be necessary. This concession applies also to journeys on duty beyond jurisdiction and to journeys on transfer from one district to another, except where double railway fare is allowed. May also draw actual expenses for journeys by boat where this is the ordinary mode of travelling.

Agriculture—

9. Members of the Department of Agriculture. Members of the Department who are not selected as Members of the Board of Agriculture, and who attend the meeting at Pusa in the capacity of visitors, should be treated as on duty on these occasions and should be allowed travelling allowance under the ordinary rules.

Public Works and Irrigation Departments—

10. (i) Petty Establishments expressly engaged for service in the field. The Local Government in case of doubt may decide whether any particular officer or class of officers comes within this term or not.
- (ii) Members of the Subordinate Engineering Service and Lower Subordinates. May be granted conveyance allowance; also mileage under the special order of the Executive or Assistant Executive Engineers.

APPENDIX No. 11.

(P. N. 44, S. N. 78.)

List of Government Servants who have been exempted from the operation of the rule for 10 days' halt at one place.

Officers exempted wholly or partially.	Conditions.
<i>All Departments—</i>	
Menial servants None,	
<i>Land Revenue—</i>	
All officers and their establishments working under the supervision of the Director of Land Records, if employed on the work of attestation, assessment of revenue and case work.	Up to a limit of 30 days.
All other officers working under the supervision of the Director of Land Records (including all permanent or probationary officers deputed for training in survey and settlements).	The Director of Land Records may exempt up to a limit of 30 days. His order is required in each case as no general exemption has been made.
NOTE. —The above order applies to the officers working in all Settlement operations placed under the control of the Director of Land Records. In the smaller Settlements the Collector is <i>ex-officio</i> Settlement Officer by virtue of Rule 46 of the Rules under the Bengal Tenancy Act	
<i>Forests—</i>	
Officers of the Forest Department and their establishments,	On the understanding that they maintain camp equipage.
Forest officers of the rank of Extra Assistant Conservator and upwards.	Serving in the Sunderbans division, subject to the condition that they draw half the daily allowance.
<i>Audit—</i>	
Local Auditors and Assistant Local Auditors in Bengal.	None.
<i>General Administration—</i>	
All Ministerial officers required to accompany on tour the staff of the Governor, the member of the Board of Revenue, a Commissioner of Division, a Secretary to Government and a Head of a Department.	Officers who draw the bill must certify that the prolonged halt was necessary in the interest of the public service, and that condition of clause (a) or (b) of Subsidiary Rule 78 has been satisfied.
NOTE. —The Sub-Assistant Surgeon, and the Chauffeur attached to the Governor's Staff are exempted from the operation of Subsidiary Rule 78 in respect of halts made by them while on tour with the Governor.	
Clerks and Menials of Commissioners of Divisions.	When required to accompany Commissioners on tour of inspection.

Officers exempted wholly or partially.

Conditions.

Administration of Justice—

All District and Sessions Judges in Bengal with their Establishments.	While holding Sessions.
Additional District and Sessions Judges of Dacca and Tippera with their Establishments.	When the Judge holds his Courts at Comilla.
District and Sessions Judge of Hughli with his Establishment.	Ditto, at Howrah.
Additional District and Sessions Judge of Chittagong and Tippera with his Establishment.	At Chittagong.
Additional District and Sessions Judge of Dacca and Faridpur with his Establishment.	At Faridpur.
Additional District and Sessions Judges of Midnapur and Burdwan.	At Burdwan and Birbhum.
Additional District and Sessions Judges of Khulna and Jessore.	Jessore.
Additional Judges of 24-Parganas and Hughli.	Howrah.
Subordinate Judge of Dinajpur and his establishment (1 Peshkar, 2 Moharirs, 1 Chaprasi).	When holding periodical sittings at Jalpaiguri.
Interpreter of the office of the Deputy Commissioner of Darjeeling.	On special duty in Independent Sikkim.
Subordinate Judges and their Establishment.	Temporarily transferred on duty to another station. Allowance at full daily rates for the first month and at half rates for the second and third months.

Police—

Subordinate Police officers attached to the Criminal Intelligence Department.	Half daily allowance after 10 days and no allowances after expiry of 60 days.
Police or any other officer attending a fair, darbar or agricultural exhibition.	Must maintain camp equipage and Magistrate of district must certify that their presence was necessary.

Education—

Officers belonging to Sibpur Engineering College.	On deputation to stations outside of Howrah for the purpose of giving instructions in surveying to their pupils.
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Medical—

Any or all of the Medical Officers and Subordinates.	Attending Malarial classes.
Civil Surgeons and other Medical officers deputed to conduct the annual license examinations.	Surgeon-General to Local Government may exempt them subject to maximum limit of 20 days. Surgeon-General's order is required in each case as no general exemption has been made.

Co-operative Societies—

Registrar, Co-operative Societies, his assistant and his establishment, including honorary organisers.

For all halts not exceeding twenty days at one place, subject to production of certificate on the occasion of each halt, the camp equipage has been maintained.

APPENDIX No. 12.

[F. R. 44, S. R. 28(b).]

List of Government servants authorised to sanction the carriage by rail or steamer, at Government cost of camp equipment and horses of their own, and Government servants under them subject to the limitations noted against each.

Authority.	Officers.	Camp equipment limits	Horses.
		Maximum maunds	Nos.
Director of Land Records and Surveys.	For himself ..	35	3
	Settlement and Assistant Settlement Officers ..	20	3
	Officers deputed to Settlement Training Camp ..	10	1
	Other officers	5	1
	Officers of the Imperial and Provincial services of the Survey of India Department ..	20	3
	Retired Officers of the Survey Department re-employed ..	20	3
	Officers of the Provincial and Subordinate Survey Service and Supervisors ..	20	3
Divisional Commissioners	Officers returning from a Settlement Training Camp on expiry of the period of deputation ..	10	1
Commissioner of Excise and Salt.	For himself	35	3
	Deputy Commissioners ..	25	2
	Superintendents ..	20	2
	Inspectors	15	2
Inspector General of Police	For himself	35	3
	Deputy Inspectors General of Police	35	2
	Superintendents or Assistants and Deputy Superintendents of Police ..	25	2
	Commandants and Assistant Commandants of Eastern Frontier Rifles ..	25	2

Authority.	Officers.	Camp equipment limits.	Horses.
		Maximum months.	Nos.
Director of Public In- struction.	For Inspectors of Schools ..	....	1 motor cycle.
Director of Agriculture ..	For himself ..*	35 ₆	3
	Officers of the Imperial Agri- cultural and Veterinary Services	20	2
	Officers of the Provincial Agricultural and Veterinary services, the Mycological and Entomological Collec- tor, the Superintendent of Sericulture, the Sericultural Superintendent, Mirganj, and the Weaving Master	5	1
Registrar of Co-operative Societies.	For himself	20	2
	Officers of the Department ..	10	1
Conservator of Forests ..	For himself	20	2
	Deputy Conservators, Assis- tant Conservators, and officers of Provincial Ser- vice when in charge of a Forest Division ..	20	2
	Assistant Conservators and officers of Provincial Ser- vice when not in charge of a Forest Division ..	10	1
Superintending Engineer	1 or himself .. .	35	2
	Executive Engineers ..	25	} One motor cycle and side car.
	Assistant Engineers ..	20	
	Other officers	5	

APPENDIX No. 13.

(F. N. 44, G. N. 26.)

List of special cases in which conveyance hire has been granted.

1. The clerk of the Additional Judge of the 24-Parganas is allowed actual conveyance hire between Alipore and Howrah while the Sessions are held at the latter place.

2. The Jailor of the Presidency Jail, Alipore, may draw carriage hire at the rate of Rs. 1-8 a day for journeys to and from the High Court on duty.

3. A subordinate officer of the Calcutta Town and Suburban Police draws actual conveyance hire when travelling on duty within a short distance of headquarters in the following cases, provided always that, whenever practicable, the tramway cars shall be used and not hackney carriages:—

- (a) To any Court and back to quarters, when attending Court on duty, or to give evidence, provided the quarters are not near to the Court.
- (b) When directed by the Court to serve any immediate process.
- (c) When directed to bring a witness who is immediately required in Court.
- (d) When taking to and from Court, prosecutor, prisoner, or witness who is unable from illness, injuries, or any other good cause, to walk to and from the Court and who has no money.
- (e) When proceeding to ships in harbour by the direction of a Magistrate and for serving processes of the Court in Marine cases, whenever such expenses are not recoverable from the parties concerned. In this case boat-hire may also be sanctioned when necessary.
- (f) When bringing European or any other prisoners, whom it may not be safe to lead along the public streets, from jail, etc., and taking them back.
- (g) When required to go on duties which the Commissioner of Police may certify to be emergent.
- (h) In the case of heinous offences or other crimes which, in accordance with standing Police rules, have to be investigated on the spot by European officers or detectives.
- (i) When searching for or pursuing escaped criminal.
- (j) When employed upon special duty in connection with the Muharram, or to preserve order at any place of public resort, worship, entertainment, or public gathering, provided that the distance exceeds one mile and the Commissioner certifies that the charge is necessary.
- (k) In the case of European members of the Police Force not drawing permanent horse or conveyance allowance, to

and from their headquarters, when employed on any of the duties mentioned in the preceding rules, or when required to attend the Commissioner's office, provided the Commissioner certifies that the charge is necessary.

- (l) European Inspectors and Sergeants of the Police Force may charge the actual cost of moving their luggage on transfer from one station to another in the city, provided that the charge shall not exceed Rs. 3 in the case of an Inspector and Rs. 5 in the case of a Sergeant.

- (m) Subordinate officers of the Calcutta City Police, may charge the actual cost of moving their luggage on transfer from one station to another in the city subject to the following maximum rates:—

			Rs.	A.
Inspectors	..	..	8	0
Sub-Inspectors	..	..	6	8
Sergeants	..	..	5	0

4. The Deputy Shipping Master, Calcutta, is entitled to actual travelling expenses for boarding vessels for the purposes of shipping and discharging crews and inspecting provisions, etc.

5. Opium Factory Assistant while supervising unloading, etc., of the opium chests in Calcutta or Howrah—

For Calcutta—Conveyance allowance of Rs. 2 a day.

For Howrah—Do. Re. 1 a day (in addition to any other travelling allowance).

6. (a) Inspector of the Preventive Department, Calcutta Custom House, deputed to inspect the Salt Registers, etc., of the manufacturers of salt, alkali or hydrochloric acid—Actual conveyance hire for journeys to and from the manufactories.

(b) Six Customs Preventive Officers employed on shore patrol duty on the Calcutta side of the river Hooghly—Allowance of Re. 1 each per diem on account of carriage or boat hire.

APPENDIX No 14.

(F. R. 44, S. R. 103.)

List of cases in which the grant of travelling allowance has been permitted to join first post.

Particulars of cases in which travelling allowance is permitted.	Conditions for the grant of travelling allowance.
<i>General—</i>	
1. A person appointed to any of the departments requiring technical skill or knowledge.	May be allowed travelling allowance from the place where he received the orders of appointment, or if he belongs to any training school or college from such school or college, whichever will entail less expense to Government.
<i>Survey Department—</i>	
2. Any person recruited from outside the province requiring technical skill or knowledge.	Travelling allowance as for a journey on tour (Rule 81) on the scale admissible to Government servants of the grade to which the post, the Government servant proceeds to join, belongs.
<i>Forest—</i>	
3. Stipendiary and private students on passing out of the Forests School for joining appointment in the Government Forest Service.	Travelling allowance.
4. Offg. Munsifs for journeys on transfer (<i>vide</i> also rule 83).	Single second class fare by rail and actual expenses not exceeding 4 annas a mile by road.
<i>Jails—</i>	
5. (a) A European warder or Assistant Warder selected in Calcutta on pay exceeding Rs. 100 in a Jail in the interior of Bengal.	Travelling allowance as for a journey on tour (Rule 81) on the scale admissible to a Government servant of the grade to which the post, the Government servant proceeds to join, belongs.
(b) Jail officials on a pay of less than Rs. 16 a month recruited under authorised system from a district or a province other than that in which the officials appointed reside.	Travelling allowance not exceeding the actual travelling expenses.
<i>Police—</i>	
6. (a) Recruits from outside the province for journeys from their homes to the station to which they are first posted.	Actual travelling expenses.
(b) Foreign recruits for the Calcutta Police.	Ditto.

Education—

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| 7. (a) Any female teacher recruited from outside the province, for journey to join a first non-gazetted appointment on condition that payment is not made till she is confirmed. | Travelling allowance for a journey on tour, (Rule 81) on the scale admissible to Government servants of the grade to which the post, the female teacher proceeds to join, belongs. |
| (b) All non-gazetted educational Government servant for their journey to join a first post at the Victoria and Dow Hill School, Kurseong. | Ditto. |

Medical—

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|---|---|
| 8. (a) Pupils of Sub-Assistant Surgeon class in a Medical School, for journey from the place at which the final examination is passed to the place to which they are appointed. | Travelling allowance for themselves and their families. |
| (b) Compounders requiring and possessing technical knowledge for journey to join the first post. | Travelling allowance as shown against item No. 1. |

Veterinary—

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| 9. A Veterinary Assistant when joining his first appointment, when it is made at the instance of Government. | Travelling allowance for a journey on tour. |
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Indian Civil Service—

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|---|---|
| 10. Selected Indian candidates proceeding to England to undergo a period of probation for journeys from their homes to the port of embarkation. | Railway fares at first class rates, in addition to the free passage to and from the United Kingdom. |
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Public Works—

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| 11. Any person appointed in any capacity requiring technical skill or knowledge for which he has been specially trained. | Travelling allowances for a journey on tour. |
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Local Fund—

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| 12. A Local Fund employe transferred to a post under Government. | Travelling allowance admissible to Government servants of the grade in which his new post is included. |
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APPENDIX No. 15.

(P. N. 44, S. N. 121.)

Rules regulating the grant of advances to pay for the passages overseas of certain Government servants of non-Asiatic domicile and their families, issued under Government of India, Finance Department, Resolution No. 88A, dated the 29th January, 1923, as modified by Government of India, Finance Department, No. 343 A, dated the 30th April, 1923.

1. In these rules "family" means a Government servant's wife, legitimate children and step children residing with and wholly dependent upon him.

2. These rules apply only to gazetted Government servants of non-Asiatic domicile holding substantively a permanent post in any of the Civil Departments or in the Military Accounts Department; and to Military Commissioned officers (including Military Assistant Surgeons with commissioned rank) of non-Asiatic domicile in civil employ.

NOTE.—Passage advances may be granted from general revenues to Government servants referred to in this rule, while they are in foreign service. In such cases the Government servants concerned should be held personally responsible for monthly repayments of the advances drawn.

3. An advance may be made to a Government servant for the cost of passage by sea from a port in India to a port outside Asia of himself and members of his family and also for the cost of the return voyage. The advance for members of the family will be admissible even though they do not accompany the Government servant on the voyage.

4. The amount of each advance shall not exceed four months pay of the Government servant or Rs. 6,000, whichever is less, subject to the further condition that it shall not exceed the amount actually required at the time for the purpose for which it is granted. It should be a sum expressed in whole rupees, being a multiple of thirty-six.

5. When an advance has previously been sanctioned the amount of a further advance should be so regulated that the total amount outstanding will not exceed the limits mentioned in rule 4. For the purpose of recoveries, each advance shall be treated separately.

6. The sanctioning authority will be the Department of the Government of India, or other subordinate authority to whom the power may be delegated with the consent of the Finance Department, or the local Government under whose administrative control the Government servant is serving.

* * * * *

8. An advance will not be admissible to a Government servant who does not intend returning to civil duty on the expiry of the leave, and the Government servant shall submit with his application for the advance a certificate that he intends to return to civil duty.

on the expiry of the leave. The applicant should at the same time state whether he has taken, or intends applying for, an advance for the same purpose under the rules regulating the General Provident Fund or any other similar provident fund rules.

9. (a) Advances will be recovered in thirty-six equal monthly instalments by compulsory deductions from pay, commencing from the first payment of a full month's pay after the advance is granted. Except as provided in clause (b) of this rule, no recovery will be made from a Government servant while he is on leave. A borrower may, however, make repayment in less than thirty-six instalments or may repay two or more instalments at the same time.

NOTE.—In the case of the advance taken for the passage of the officer himself, recovery should commence from the first payment of a full month's pay drawn by him after return from leave.

(b) If the Government servant retires, or applies for and receives permission to retire on the expiry of his leave, the outstanding balance of the advance will be recoverable at once, but where undue hardship is likely to result from compelling payment in one instalment, a Department of the Government of India or the High Commissioner for India may permit a relaxation of this rule to the extent of allowing monthly recoveries to be made from the pension or leave-salary admissible to the Government servant at a rate not less than half the monthly amount of such pension or leave-salary. In applying this rule consideration should be given to the amount which will be handed over to a provident fund subscriber on his retirement.

(c) The borrower will submit to the audit officer concerned, or, if the advance is paid in England, to the High Commissioner for India, within three weeks of the receipt of the advance, receipts showing the amount of payments made for passages. Where, however, the money for passages has to be remitted from India to England (or *vice versa*), the time for submission may be extended by two months. In the event of failure to comply with this rule the amount advanced shall be recoverable at once. If the receipts produced are for an amount less than that advanced, the balance shall be recoverable at once.

10. Subject to the conditions of these rules, the High Commissioner may sanction an advance to a Government servant on leave drawing his leave-salary in London for the cost of return passages to India of the Government servant and his family, provided no advance for the same journey has been previously made.

11. A Government servant receiving an advance under these rules will, on receipt of the advance, sign and deposit with Government an undertaking in the form shown in the appendix to these rules.

Appendix.

MEMORANDUM OF AGREEMENT made the _____ day
of _____ 192____ BETWEEN
of _____ (hereinafter called the Borrower) of the one
part and the SECRETARY OF STATE FOR INDIA IN COUNCIL (hereinafter called the Lender) of the other part.

WHEREAS the Borrower's (family) is ^{proceeding to}~~proceeding to~~ ^{on leave}~~returning from~~ ^{on expiry of leave}~~on expiry of leave~~ (with his family) and has in accordance with Resolution of the Finance Department, Government of India, No. 612-A., dated the 14th September 1922, requested the Lendor to lend him free of interest Rs. ^{towards defraying the cost of his}~~towards defraying the cost of his~~ passage (s) to ^(and back to Inida)~~(and back to Inida)~~ which the Lendor has agreed to do on the terms and conditions hereinafter mentioned.

WITNESSETH that in consideration of the said loan (receipt of which the Borrower hereby acknowledges) the Borrower for himself his heirs executors and administrators covenants with the Lendor to repay the said loan by 36 equal monthly instalments the first instalment to be payable on the date of first payment of a full month's pay after the advance is granted, no recoveries being made, while the Borrower is on leave, and hereby authorizes the Lendor to deduct the amount of such monthly instalments from the pay of the Borrower PROVIDED ALWAYS and it is hereby further agreed and declared that in the event of the Borrower dying or retiring or receiving permission to retire from Government service before the whole amount of the said loan is repaid or if he does not produce receipts for the said passage(s) or does not comply with any of the conditions on which the loan is made, as specified in the aforesaid Resolution, within three weeks from the date hereof the loan is to become immediately due and payable.

IN WITNESS whereof the Borrower has hereunto set his hand the day and the year first above written.

Signed by the said (Borrower) in the presence of

Witness

Address

Occupation

APPENDIX No. 16.

(F. R. 44, S. R. 100.)

List of cases where travelling allowance to undergo training has been sanctioned.

Persons granted travelling allowance.	Particulars.
Forest—	
<p>1. (a) Probationary students under training for the Provincial Forest Services—</p> <p>(i) while proceeding to join the institute for the first time and finally returning therefrom.</p> <p>(ii) while undergoing the course of the institute.</p>	<p>Actual expenses which include single second class fare by rail or steamer for the student, single third class fare of one servant, the freight of a bicycle when necessary and such luggage as is passed by the President or other officer authorized to countersign the travelling allowance bills.</p>
(b) Stipendiary students of the Imperial Forest School, Dehra Dun.	<p>An advance of actual travelling expenses at the discretion of the Local Government for joining the Imperial Forest School, Dehra Dun.</p>
Police—	
<p>2. Constable recruits for journey to enable them to join training schools.</p>	Travelling allowance.
Education—	
<p>3. (a) Passed students of the Engineering School of the Calcutta University when undergoing a year's course of practical training of survey work.</p>	<p>Travelling allowance under the rule applicable to overseers of the Public Works Department, the amount being charged to "Education."</p>
(b) Student Engineer, on transfer from one station to another in the course of their practical training.	<p>Travelling allowance admissible to overseers of the Public Works Department.</p>
(c) Students of the Apprentice Department of Sibpur and students from the Bihar School of Engineering selected for a year's practical course on survey work before competing for an appointment in the Public Works Department.	
(d) Students selected for education at the Normal School for journey to the school.	<p>Travelling allowance at the rates allowed to officers of the third grade.</p>
(e) Head Pandits of Guru Training Schools in Eastern Bengal when they are deputed to the Training Schools to undergo a course of training.	<p>Actual travelling expenses not exceeding the amount admissible as travelling allowances at third class rates.</p>

Persons granted travelling allowance.	Particulars.
<i>Education—</i> Consolid.	
(f) Government servants or students under training in the Training Colleges, Calcutta and Dacca.	<p>Actual expenses to students—</p> <p>(1) for journeys to and from the College on joining and leaving it at the beginning and termination of the period of training and,</p> <p>(2) for journeys to and from home for one vacation only during the Sessions and</p> <p>(3) travelling allowance to Government servants under the rules for journeys on transfer for journeys to and from the College on joining and leaving it at the beginning and termination of the period of training, but they will draw travelling allowance as for journeys on tour—for journeys to and from home for one vacation only during the Sessions.</p>
<i>Medical—</i>	
4. Officers in civil employ when ordered to undergo a course of instruction at Dehra Dun in the use and management of X-Ray Apparatus.	Travelling allowance.
<i>Public Health—</i>	
5. Superintendents and Assistant Superintendents of Vaccination for journeys to and from the centres where they are required to undergo a course of training.	Travelling allowance under ordinary rules.
<i>Agriculture—</i>	
6. (a) Students sent from this Province to the Poona Agricultural College.	Travelling expense to Bombay and back to appear at the Annual and Final Examination held at Bombay.
(b) Veterinary students selected to undergo a course of training at the Bengal Veterinary College or at any of the technical schools or colleges in other parts of India or when deputed to visit special exhibitions and demonstrations such as those occasionally organized in connection with the Industrial School for Silk Weaving in Rajshahi.	Travelling expenses.
<i>Miscellaneous—</i>	
7. (a) Students selected to hold Government Scholarships tenable in England when proceeding to or returning from England.	A single second class fare by rail in India and free passage to and from England and freight for personal luggage not exceeding 3 maunds.
(b) Clerks deputed for training in typewriting.	Travelling allowance under the ordinary rules to and from the training centres.
	<p>NOTE.—Any clerk who fails to pass the test after a two months' course will be permitted to draw travelling allowance for his return journey from the training centre on production of a certificate from the Company to the effect that he attended the training class for the full period of two months.</p>

APPENDIX No. 17.

(F. R. 44, S. R. 183.)

List of Controlling Officers for the purpose of Countersigning Travelling Allowance bills.*Surveys and Settlement—*

Director of Land Records and Surveys.	Provincial Survey Establishment, Settlement Officers on Major Settlement operations, Probationary and temporary Sub-Deputy Collectors when placed under Director of Land Records and Surveys; Master of Survey Schools.
Settlement Officers ..	Assistant Settlement Officers and all Establishments employed on Major Settlement operations.
District Officers ..	Assistant Settlement Officers and their Establishment employed on Minor Settlement operations.

Excise and Salt—

Collector ..	Superintendent and Inspectors of Excise and Salt.
Superintendent of Excise and Salt.	Subordinate Officers in the Excise and Salt Department.

Forests—

Conservator of Forests ..	Forest officer of all ranks and establishment except non-gazetted officers and Establishment subordinate to a Divisional Forest officer.
Divisional Forest officer	Non-gazetted officers and establishment including Executive, Protective and office staff, subordinate to a Divisional Forest officer.

Registration—

Inspector General of Registration.	Inspector of Registration offices.
District Registrars ..	Sub-Registrars and their Establishment.

General Administration—

Secretary to Government, Financial Department.	Superintendent and Deputy Superintendent, Press.
Assistant Secretary to the Legislative Council.	Members attending the Meetings of the Legislative Council.
Under Secretary, Financial Department.	Establishment in the Bengal Secretariat.
The Secretary and the Assistant Secretary to the Government of Bengal, Legislative Department.	All officers of the Legislative Department including the Book Depot Branch.

Land Revenue—

Collectors including the Additional Magistrate attached to a district.	Gazetted Officers at Headquarters and Subdivisions.
Senior Deputy Collector at Headquarters.	All non-gazetted officers stationed at Headquarters.
Subdivisional Officer ..	All non-gazetted officers subordinate to the Sub-divisional Officer.
Commissioner ..	Collector and ministerial establishment subordinate to Commissioners.

Administration of Justice—

District Judge	..	Officers and establishment of Civil Courts.
Legal Remembrancer	..	Mufussil Government Pleaders.
District Magistrate	..	Criminal Court Establishment.

Jails—

Inspector General of Jails.	of	All officers of the Jail Department.
Superintendent, Presidency or Alipore Jail, as <i>Ex-officio</i> Deputy Inspector-General of Jails.		All officers of the Jail Department [during the absence of the Inspector-General of Jails].

Police—

Inspector-General of Police (through his Personal Assistant).	of	Deputy Inspector-General of Police and officers directly under the Inspector-General of Police.
District Magistrate	..	Superintendents of Police.
Superintendent of Police		Police officers of all ranks and ministerial and menial establishment on the District Police Establishment.
Superintendent of Railway Police.		Police officers of all ranks and ministerial and menial establishments on the respective Railway Police Establishment.
Principal of the Training College.		Police officers of all ranks and ministerial and menial officers attached to the Training College and the Constables' Training Schools.
Commandants of Military Police Companies.		Police officers of all ranks and ministerial and menial officers attached to the respective Military Police Companies.
Superintendent of Police, Murshidabad.		Police officer of all ranks and ministerial and menial officers attached to Training School.
Assistant to Deputy-Inspector-General of Police, Crime and Railways.		(1) Police officer of all ranks and ministerial and menial officers on Deputy-Inspector General, Establishment, provided that in the case of officers deputed to work in districts, their bills shall not be countersigned, unless they have been passed by the Superintendent of Police of districts to which they have been deputed.
		(2) Superintendents of Railway Police.
		[The travelling allowance bills of the Intelligence Branch of the Criminal Investigation Department may be countersigned by the Superintendent in charge of the Intelligence Branch and during his absence on tour by the Special Assistant of that branch.]

Education—

Assistant Director of Public Instruction.	of	(1) Principals of Colleges.
		(2) Inspectors and Additional Inspectors of Schools.
		(3) Heads of all offices which communicate direct with the Director of Public Instruction.
		(4) The ministerial and menial establishments of the office of the Director of Public Instruction and of such offices comprised in (3) above as are not hereinafter provided with a Controlling Officer.

Education—conold.

Principals of Colleges	..	Professors, Lecturers, Demonstrators, Teachers, workmen, ministerial and menial establishments and generally all officers working in the institution or institutions under their control.
Inspectors of Schools	..	(1) Head Masters and establishments of all Government High Schools in the Division. (2) Assistant Inspectors, District and Subdivisional Inspectors, Sub-Inspectors and other members of the subordinate inspecting staff, Head Masters or Pandits and other Teachers of Guru Training Schools and other Government institutions under their control in the districts or areas of the Division of which they are in immediate charge. (3) The ministerial and menial establishments of their own office, and of the officers and institutions specified above.
Additional Inspectors of Schools.		(1) Assistant Inspectors, District and Subdivisional Inspectors, Sub-Inspectors and other members of the subordinate inspecting staff and the Head Masters or Pandits and other teachers of Guru Training Schools and other Government institutions under their control (High Schools being explicitly excepted from that control) in the districts or areas of which they are in immediate charge. (2) Their own ministerial and menial establishments and the ministerial and menial establishments of the officers and institutions specified above.
Inspectresses of Schools		(1) Assistant Inspectresses of Schools. (2) Teachers of Government Schools under their charge. (3) Their own ministerial and menial establishments and the ministerial and menial establishments of the officers and institutions specified above.
Inspector of European Schools.		(1) Head Master, Head Mistress and members of the domestic and instructive staffs of the Victoria Boy's School, the Dow Hill Girl's Schools and the Government Training Class for European Teachers at Kurseong. (2) His own ministerial and menial establishments and the ministerial and menial establishments of the officers and institutions specified above.
Director of Instruction.	Public	Assistant Director of Public Instruction, Assistant Director of Public Instruction for Muhammadan Education, and Examiners appointed to conduct the Practical Examination of Survey Students.

Medical—

Surgeon-General	..	Plague inspecting officer, for journeys on transfer from one station to another.
District Magistrate	..	Civil Surgeons for journeys within the district and for journeys to give evidence beyond the limits of the district. Plague Inspecting officers.
Civil Surgeons	..	Subordinate Medical officers.

Public Health—

Director of Public Health		All Assistant Directors of Public Health, Plague Medical Officers, Inspectors of Septic Tank Installations, Superintendent, Bengal Vaccine Depot and all other gazetted Government servants of the department,
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Public Health—continued.

Director of Bengal Public Health Laboratory.	The whole staff of the Calcutta Public Health Laboratory, and of the Director in Charge of the Dacca Branch Laboratory.
Officer in Charge, Dacca Branch Laboratory.	Staff of the Branch Laboratory.
All Assistant Directors of Public Health.	Non-gazetted Establishments serving under each of them.
Chief Engineer, Public Health Department.	Executive Engineers, Assistant Engineers and all gazetted Government servants of the Department.
Executive Engineer, Public Health Department.	Supervisors, Upper and Lower Subordinates and all non-gazetted Government servants attached to their divisions.

Veterinary Department—

Principal, Veterinary College.	All officers subordinate to him.
Superintendent, Civil Veterinary Department.	All officers of the Civil Veterinary Department.

Agriculture—

Director of Agriculture ..	Superintendent, Civil Vaccine Department, Deputy Director of Agriculture, Fibre Expert, Agricultural Chemist. Economic Botanist.
Deputy Director of Agriculture.	(i) Ministerial and Menial Establishment of their own offices. (ii) Temporary Staff. (iii) Staff of the Agricultural and Vernacular School. (iv) Officers of the Subordinate Agriculture Services (class I and II) and their staff under their respective charges. (v) Officers of the Lower Subordinate Agricultural Staff, Overseer, Fieldman, clerks and Fieldman Apprentices under their respective charge. (vi) District Agricultural Officers, Agricultural Inspectors and their staff as well as of the Fieldman Demonstrator and Fieldman Apprentices under their respective charges.
Economic Botanist ..	Entomological Collector and the Mycological Collector.

Co-operative Societies—

Personal Assistant to the Registrar, Co-operative Societies.	All non-gazetted officers of the Co-operative Department.
Deputy Registrar of Co-operative Societies.	All non-gazetted officers employed in his office.
Deputy Collector on special duty in the Co-operative Department and in charge of the work of the Rajshahi, Presidency and Burdwan Divisions.	All gazetted and non-gazetted officers of the Co-operative Department employed within their respective jurisdictions.

Co-operative Societies—concl'd.

Deputy Collector on special duty in the Co-operative Department in charge of the work in the Dacca and Chittagong Divisions with the exception of Faridpur District.	All gazetted and non-gazetted officers of the Co-operative Department employed within his jurisdiction.
Deputy Collector on special duty in charge of Industrial Co-operative Societies.	All the gazetted and non-gazetted officers of the Department employed under the Deputy Collector.

Industries -

Chief Inspector of Factories.	Assistant Inspector of Factories and certifying Surgeons of Factories, Barrackpore.
Director of Industries ..	Officers and Establishment subordinate to him. Head-Master and Superintendents of Technical and Industrial Schools. Principals of Engineering Colleges. Superintendent of the Reformatory School. Principal, Serampore Weaving Institute.
Commissioners of Divisions.	Chief Inspector and Inspector of Explosives.
Commissioner of Presidency Division.	Chief Inspector of Factories.

Miscellaneous—

Registrar of Joint Stock Companies.	Assistant Registrar, Joint Stock Companies, and his Establishment.
Government ..	(1) Registrar of Joint Stock Companies. (2) Inspector appointed under the provisions of the Provident Insurance Societies Act, 1912 (V of 1912).

Emigration—

Protector of Emigrants and Superintendent of Emigration.	Employees of the Emigration Department as well as himself.
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APPENDIX No. 15.

(F. R. 74 (a).)

Instructions issued by the Auditor General under Fundamental Rule 74,

1.—Procedure relating to leave.

Certificate of Admissibility.

1. Leave should be sanctioned to a gazetted Government servant only after its admissibility has been certified by the Audit Officer who has been auditing his pay.

Gazetted Government servants.

2. Before leave is sanctioned to a non-gazetted Government servant the authority sanctioning the leave should either consult the leave account prescribed in Fundamental Rule 76, and satisfy himself that the leave is admissible, or obtain a certificate to that effect from the officer entrusted with the attestation of the entries in the leave account.

Non-gazetted Government servants.

3. When a military officer becomes subject to the Civil Leave Rules, the Audit Officer in charge of his record of pension service will, on application and on being furnished with the date of commencement of active service in Civil employ, furnish to the Audit Officer to whose audit he becomes subject, a memorandum showing the furlough earned, the different kinds of leave taken (distinguishing those which should be deducted from the *maximum* furlough admissible) and the balance of furlough due under Military Rules.

Military Officers.

4. (a) Applications for leave from Military officers in Civil employ, whether they are subject to the Military Leave Rules or the Civil Leave Rules, should be sent through the Civil Audit Officer who audits the pay of the officer going on leave. The Civil Audit Officer will, if he considers it necessary, consult the Controller of Military Accounts in charge of the officer's record of pension service before certifying to the leave and specifying the leave-salary. No leave should be sanctioned to such an officer before a report is received from the Civil Audit Officer.

(b) In the case of a Military officer subject to the Military Leave Rules the Civil Audit Officer should obtain from the Audit Officer in charge of the officer's record of pension service a certificate in F. R. Form No. 1 before issuing a leave-salary certificate or a warrant or a certificate of leave granted to an officer proceeding on leave out of India who does not intend to draw his leave-salary at the Home Treasury or in a Colony.

5. In the case of a Government servant on foreign service, leave cannot be sanctioned, until the Audit Officer of the Government (Central or Provincial), under which he was permanently employed at the time of his transfer to foreign service has certified the amount of leave and the leave-salary admissible.

Government servants in foreign service.

NOTE.—For the purpose of this rule, the Accountant-General of the Province in which the contributions towards leave-salary and pension of a Government servant on foreign service are recovered will act as the Audit Officer of the Central Government.

*Payment of Leave-Salary in India.***Non-gazetted
Government
servants.**

6. The leave-salary of a non-gazetted Government servant on leave in India or on leave out of India cannot be drawn in India, except under the signature of the head of his office; and the latter is responsible for any overcharge.

**Gazetted
Government
servants.**

7. No gazetted Government servant can begin to draw his leave-salary at any office of payment in India without producing a leave-salary certificate from the Audit Officer who audited his pay before he proceeded on leave.

8. The certificate should be in F. R. Form No. 2; and if during leave the gazetted Government servant desires to change the office at which he receives payment of his leave-salary, he must obtain a new certificate from the Audit Officer within whose jurisdiction his leave-salary was last paid.

9. If a gazetted Government servant signs his bill himself he must either appear in person at the place of payment or furnish a life certificate signed by a responsible officer of Government or some other well-known and trustworthy person. If he draws his leave-salary through an authorised agent, the agent, whether he has or has not a power-of-attorney, must either furnish a life certificate as aforesaid, or execute a bond to refund overpayments. A life certificate may be given periodically, a bond being given to cover intermediate payments not supported by life certificates.

10. The provisions of paragraphs 7 to 9 above apply also to gazetted Government servants who spend their leave out of India but reside in Asia, and who have to draw their leave-salary in rupees in India under Fundamental Rule 91.

NOTE. A certificate of residence should be obtained from Government servants who draw their leave-salary at the rupee rate.

**Railway and
Telegraph
Departments
and Military
Works
Services.**

11. In the case of the Railway and Telegraph Departments and the Military Works Services the above rules will be generally applicable subject to any modifications which may be made by the Accountant General concerned in accordance with the special rules of his Department.

**Return to
duty.**

12. Before returning to duty, a Government servant who has drawn his leave-salary in India should obtain a last-pay certificate from the Audit Officer, within whose jurisdiction his leave-salary was last paid, and deliver it to the Audit Officer who audits his pay. Without such a certificate he cannot obtain payment of any arrears of leave-salary or pay due to him.

*Leave out of India.***Memorandum
of Informa-
tion.**

13. A copy of "Memorandum of information for the guidance of Government servants proceeding on leave out of India" should be supplied to each Government servant proceeding on leave out of India by the Audit Officer who audits his pay, as soon as the grant of leave is gazetted or otherwise notified to him.

14. (a) A Government servant proceeding on leave out of India and intending to draw his leave-salary while on leave should be given a leave-salary certificate by the Audit Officer who audited his pay before he proceeded on leave—

Leave-Salary
Certificates and
Colonial
Leave-Salary
Warrant.

- (1) in F. R. Form No. 2, if he intends to draw his leave-salary at the Home Treasury;
- (2) in the shape of a leave-salary warrant in Form No. I under the supplementary rules, if he is proceeding to a Colony and intends to draw his leave-salary there.

(b) If during any period of leave on average pay, a gazetted Government servant wishes, under the provisions of Fundamental Rule 91, to draw his leave-salary in India, a separate leave-salary certificate should be issued in respect of that period under the provisions of paragraph 8 above.

15. When a Government servant proceeds out of India on leave other than extraordinary leave, the Audit Officer who audits his pay will, as soon as the leave is gazetted or otherwise notified, send him a letter in F. R. Form No. 4 with enclosures in F. R. Form No. 5 requiring him to call at his office or give the necessary information.

NOTE—If a Government servant sent home to Europe as a lunatic is granted leave, a leave-salary certificate should be prepared, if necessary, by the Audit Officer who audits his pay on the date available to him, and forwarded to the High Commissioner for India at the earliest possible date.

16. If the Government servant calls at the Audit Office he will be paid up to the date of his relief and will be given a leave-salary certificate in the appropriate form as prescribed in paragraph 14 above. In the case of Government servants proceeding to a Colony, the Colonial leave-salary warrant (Form No. 1 under the supplementary rules) will be issued in triplicate. The original, bearing the Government servant's signature, will be forwarded by the Audit Officer to the Colonial Authority concerned, the duplicate to the High Commissioner for India and the triplicate will be made over to the Government servant concerned.

NOTE—If the Government servant takes a certificate under clause (b) of paragraph 14 above, he will not be paid up to the date of relief but will be allowed to draw his pay and allowances for the broken period of the month at the commencement of the next month along with the leave salary for the rest of the month.

17. If the Government servant is unable to call at the Audit Office, the Audit Officer will prepare a bill for his pay and allowances from the end of the month preceding that of his making over charge to the date before his leave commences, and forward it with the leave-salary certificate to the office, at which the Government servant draws his pay, for delivery to the Government servant according to the instructions in F. R. Form No. 6.

NOTE—The orders in the Note under paragraph 16 apply also in the circumstances specified in this paragraph.

18. When a Government servant proceeds on extraordinary leave out of India, or on leave on average pay or half average pay,

out of India during which he does not propose to draw leave-salary, or when a Government servant is given a Colonial leave-salary warrant, he should be given a certificate of leave in Form No. 11 under the supplementary rules. This certificate has to be presented by the Government servant to the High Commissioner for India if he is on leave in Europe, North Africa, America or the West Indies and applies for extension of leave, or for permission to return to duty or for a last pay certificate before returning to duty.

19. A certificate in F. R. Form No. 3 should be attached to the leave-salary certificate of a Chaplain proceeding on leave to Europe.

20. With every leave-salary certificate, Colonial leave-salary warrant or certificate of leave, given to Government servants to whom the leave rules in Sections I to V of Chapter X of the Fundamental Rules are not applicable, a blank F. R. Form No. 7 will be given on which the Government servant concerned will report to the Audit Officer, from the first port at which the vessel touches, the day of his departure from India.

21. As soon as an Audit Officer has delivered a leave-salary certificate, certificate of leave or a Colonial leave-salary warrant to a Government servant who proposes to spend his leave out of India, or has received a report in F. R. Form No. 8 from the office at which the Government servant draws his pay that the documents in question have been delivered to him, he must forward a copy of the leave-salary certificate or certificate of leave, or the duplicate copy of the Colonial leave-salary warrant to the High Commissioner for India.

22. When a Government servant proceeding on leave to Europe is compelled to leave without a leave-salary certificate or a certificate of leave, the certificate should be forwarded to him and a duplicate copy sent to the High Commissioner at the earliest possible date.

**Amended
Certificate.**

23. If it becomes necessary to amend a leave-salary certificate in F. R. Form No. 2, the amendment should take the form of a short corrigendum worded so as to show only the particular item or items in which alterations have been made; this corrigendum should be forwarded by the Audit Officer at the earliest possible date to the High Commissioner for India. Every corrected leave-salary certificate, whether original or duplicate, should be marked "Amended Certificate".

**Extension or
commutation
of leave.**

24. Whenever the leave of a Government servant absent on leave out of India elsewhere than in Europe, North Africa, America or the West Indies is extended or commuted by the authority in India which granted the leave, the fact should forthwith be notified by the Audit Officer to the High Commissioner for India to enable him to check the payment by Colonial Treasurers or Staff Officers.

Note.—This rule applies to Military Officers subject to the Military Leave Rules.

25. If the leave of a Government servant who draws his leave-salary in India under the provisions of Fundamental Rule 91 is extended or commuted, the Audit Officer who audited his pay at the time he proceeded on leave must, on receiving advice of such extension or commutation, forthwith communicate it to the Audit

Officer within whose jurisdiction his leave-salary is drawn. He should also communicate any other circumstances connected with the leave which may be required to be known to the Audit Officer who passes the Government servant's leave-salary.

26. When no space for the entry of endorsements of payment remains upon the back of a Colonial leave-salary warrant, or when a warrant is lost or destroyed, a fresh warrant should be issued by the Audit Officer who issued the original warrant on the application of the Government servant concerned submitted through the Colonial Disbursing Officer.

Issue of a fresh Colonial leave-salary warrant.

27. A Government servant who was on leave in Europe must, on return to India, deliver to the Audit Officer the last-pay certificate obtained by him from the High Commissioner, before he can obtain payment of any arrears of leave-salary or pay due to him. A Government servant who has drawn his leave-salary on a warrant must deliver his copy of the warrant which will serve as a last-pay certificate.

Return to duty.

28. Changes in the above rules, except those which relate to Colonial leave-salary warrants, may be made by the Accountant General, Railways, or the Military Accountant General in accordance with the special rules of his own department.

Railway and Military Accounts Departments

Special Rules relating to Military Officers.

29. As soon as the grant of furlough or leave to a Military officer in Civil employ has appeared in orders, the Audit Officer in charge of the Military officer's record of pension service must, in the case of furlough to Europe, North Africa, America or the West Indies, forward to the High Commissioner for India a statement of the officer's service in such form as the Military authorities may prescribe. This statement is not required in the case of officers proceeding on furlough under the Staff or British Leave Rules.

30. When furlough or leave or an extension of furlough or leave is granted to a Military officer in Civil employ, whether subject to the Civil or the Military Leave Rules, the Civil Audit Officer should intimate to the Audit Officer in charge of the Officer's record of pension service the date of the beginning and end of the furlough or leave, the dates of embarkation and debarkation in the case of furlough out of India, as well as those of being struck off or of resuming duty.

* * * * *

32. On the return of an officer from furlough or leave, it will be the duty of the Audit Officer in charge of his record of pension service to satisfy himself that he has returned within his leave; and, if not, to report the case to the authority which sanctioned the leave.

Leave Account.

33. The leave account prescribed in Fundamental Rule 76, should be kept in F. R. Form No. 9. The office in which the account should be kept for any Government servant and the person by whom the entries should be attested, will be such as are prescribed by the local Government.

II.—Service Books.

34. A service book in F. R. Form No. 10 should be maintained for every non-gazetted Government servant holding a substantive post on a permanent establishment with the exception of those the particulars of whose service are recorded in a history of services or in a service register maintained by the Audit Officer, or for whom special forms of record are prescribed by the local Government. In this book every step in the Government servant's official life should be recorded and each entry should be attested by such superior officer as may be prescribed by the local Government.

35. If a Government servant is transferred to foreign service, the Audit Officer referred to in paragraph 5 above, will, on receipt of the service book from the head of the office or department concerned, note in it, under his signature, the order sanctioning the transfer, the effect of the transfer in regard to leave admissible during foreign service and any other particulars which he may consider to be necessary, and return the same to the officer from whom he received it. On the Government servant's re-transfer to Government service, the Audit Officer will again note in the service book, under his signature, all necessary particulars concerned with the foreign service. All entries relating to the time spent in foreign service should be attested by the Audit Officer.

F. R. FORM No. 1.

(See paragraph 4 of Instructions.)

Military Department Certificate of title to leave.

(Obverse.)

Certified that.....who is subject to the furlough rules of... ..has... ..years'.....days'/no furlough at his credit

He is eligible for furlough at the rates of pay specified:—

For.....years.....days on furlough pay/English furlough pay on private affairs/medical certificate.

For.....years.....days on furlough pay if granted an extension on medical certificate.

For.....years..... days on English furlough pay if granted an extension on medical certificate.

For.....years.....days without pay if granted an extension on urgent private affairs.

He is/ is not entitled to draw furlough pay at the rate of exchange of two shillings the rupee.

The. .19 .

C. M. A.....Command.

NOTE.—(On the back are noted the dates of beginning and ending of any leave already taken, the nature of such leave, and the rule under which it was taken.)

(Reverse.)

Leave already taken.		Nature of leave.	Rule under which taken.
Date of beginning.	Date of ending.		

F. R. FORM No. 2.

(See paragraphs 8, 14 and 23 of Instructions.)

Leave-Salary Certificate.

Leave-salary certificate of.....
of the.....proceeding on.....
to.....

1. Government under which employed 1.
2. Substantive appointment .. 2
3. Officiating appointment (if any) 3
4. Statement of present leave .. 4

Nature of leave (specifying periods on average pay, half average pay and quarter average pay separately)	Y	M	D	From	To	Monthly rate of leave salary (and allowances, if any) subject to the deductions noted on the reverse	Article and clause of the Fundamental Rules or other Regulations

5. Place of payment .. 5.
6. Date from which first payment is to be made .. 6.
7. Amount (if any) paid in advance. 7.
8. *Government and head of account to which the payment is debitable. 8.
9. Date of leaving India .. 9.
10. Date on which the Government servant will, during the currency of leave, complete the term of service or attain the age after which, by any rule he is required to retire from the service, as for instance 55 years of age. 10.
- 11.† Period for and terms on which leave may be extended, or commuted otherwise than on extraordinary leave. 11.

granted
may be extended
on medical certificate
without
same leave-salary by

(Further particulars required in the case of Military officers in Civil Employ).

12. Date of commencement of pension service. 12.
13. Date of entry under Civil Leave Rules. 13.
14. Amount of leave at credit at commencement of present leave. 14.
15. Date of being struck off duty 15.

{ Earned in respect of service under Military rules.
Earned in respect of service while under Civil rules.

*The following particulars should be noted in this line—

- (1) the major, minor and detailed head of account;
- (2) whether debitable to Central or Provincial revenue; if the latter, the name of the Provincial Government;
- (3) whether the expenditure pertains to a "Reserved" or a "Transferred" subject;
- (4) whether the expenditure is "voted" or "non-voted".

† If the leave granted is less than 22 months, calculations up to 22 months' absence only may be given in the first instance, and as soon as the leave is extended so as to bring the total period of absence from duty to 22 months or more, an amendment to the original leave-salary certificate should be issued at once.

REDUCTIONS TO BE MADE.

		Rates.				
Indian	Civil Military	Service	Family	For <u>wife</u> <u>self</u>	£	per mensem from
Pensions Subscription.						
				" sons	£	" " "
				" daughters	£	" " "
					—	
Total					£	
					—	
A balance of donation		on	£	and interest £		*
is recoverable at £		for	a month from—			

General Provident Fund

Indian Civil Service Provident Fund Deductions (if any)

(Signature).....

Place.....

Date.....

*In cases of subscribers to Indian Civil Service Family Pensions, interest accrued in India to be given here.

Abbreviations.

M. C.	..	..	.. Medical Certificate.
E. C. A.	..	..	.. Exchange Compensation Allowance.
Y. M. D.	..	..	.. Years, Months, Days.
Art.	..	..	.. Article.

Notes

1. Distinguish leave granted on medical certificate from leave granted without medical certificate and if the leave, though technically of the latter description, was granted in consequence of the production of a medical certificate, mention the fact.

2. Except in the case of Chaplains, leave-salary should be stated in whole rupees only a month (fractions being omitted and the next higher rupee taken where the fraction exceeds half) and not in pounds a year; and in entering "the rate of leave-salary" it should be stated, in the first place, without reference to the maximum or minimum applicable, and then if a maximum or minimum applies or if the leave-salary is such that a future change in the current rate of exchange may render a maximum or minimum applicable, the words should be added "subject to a maximum (or minimum) of," etc.

3. The ordinary rate of conversion will be the rate of exchange for telegraphic transfers from Calcutta on London on the day on which each monthly payment becomes due, subject to a minimum rate of 1s. 4d. per rupee in respect of leave-salary drawn on account of the first four months of leave on average pay and of 1s. 6d. per rupee in other cases. The maximum rates of leave-salary are those prescribed in Fundamental Rule 89 and the minimum rates those prescribed in Fundamental Rule 90.

4. It must be shown whether a Government servant is entitled to the full amount of leave permitted by the rules.

5. In line 7 the Articles of the Fundamental or other Rules under which the advance is made should be mentioned.

6. The date on which any Government servant will, during the currency of leave, complete the term of service, or attain the age after which by any rule he is required to retire from the service, should be shown in line 10.

7. These rules apply also to leave-salary certificates granted to non-gazetted Government servants when they proceed on leave out of India and draw their leave-salary out of India.

8. In preparing the leave-salary certificates of the subscribers to the Indian Military Service Widows' Pension Regulations and to the Indian Military Widows' and Orphans' Fund, who take leave under the Fundamental Rules, the instructions given in Government of India, Finance Department, No. 9147-F.E., dated the 10th May 1922, should also be observed, viz., the leave-salary certificate should show clearly the rate of leave-salary, the monthly maximum of average pay, whether it is likely to become effective or not and the period for which the leave-salary is not subject to the monetary maximum.

9. In the case of Government servants to whom the rules regarding the grant of passages to Civilian Functionaries of British Dominions engaged for service in India, apply, an additional entry should be made showing whether they and their families were given the benefit of Rule VII and whether they were allowed a similar benefit under either Rule VII or Rule VIII on returning to India.

F. R. FORM No. 3.

(See paragraph 19 of Instructions.)

*Certificate of service and residence of A. B., a Chaplain of the
 Establishment, and of the amount of
 annuity for which he is eligible.*

Total period of service years months days.

Total period of residence years months days.

• Computed up to

(Here enter the date of embarkation. If, however, the Chaplain is availing himself of subsidiary leave prior to retirement, enter the date of embarkation if that date falls within the period of subsidiary leave; otherwise the date of resignation.)

Amount of annuity for which eligible £ s. d.

* Note —(If the periods of residence and service are less than seventeen and twenty years, respectively, a medical certificate is required.)

There are no demands on the books of the Government of India against A. B.

Accountant General.
Comptroller.

Dated at..

The... ..19 .

Forwarded to the Secretary to the Government of.....

N.B.—(The above CERTIFICATE having been given on an examination of the Public Accounts up to the latest period found to be practicable on this date, is not to preclude the Government of India from claiming any amount for which the above-named Government servant may hereafter be found to be justly liable.)

F. R. FORM No. 4.

(See paragraph 15 of Instructions.)

Audit Officer's letter to the Government servant proceeding on leave out of India.**To**

.....

SIR,

With reference to the order noted in the margin, granting you leave out of India, I have the honour to say that it is necessary for you to obtain from me a leave-salary certificate to enable you to draw your leave-salary.

Here enter number and date of the order, name of the authority granting the leave, and page of the gazette in which the leave is notified.

2. To enable me to prepare your leave-salary certificate, it is necessary that you send me the information asked for in the enclosed F. R. Form No. 5 and also your formal certificate of giving over charge of your office, date and hour, at your earliest convenience.

3. If you are in, or intend to pass through (audit officer's station) your certificate will be prepared, and your pay and allowances paid up to the date before your leave commences, except in the case referred to in paragraph 5 below, on your calling personally at my office, and presenting a last-pay certificate from the officer from whom you last drew your pay and allowances. Otherwise, I shall cause the leave-salary certificate to be delivered to you, and the pay and allowances to be paid through the officer from whom you draw your pay and allowances.

4. If, however, you proceed to Europe and are obliged to leave before the leave-salary certificate is received and made over to you, the leave-salary certificate, when prepared, will be sent to the address specified by you.

5. Leave-salary due for the first four months of leave on average pay taken by itself or in combination with other leave may be drawn either in India or out of India. If you desire to draw it in India a separate leave-salary certificate for this portion of the leave will be issued, but you will be allowed to draw the pay and allowances for the broken period of the month up to the date of relief only at the commencement of the next month along with the leave-salary for the rest of the month.

6. If you wish to draw your leave-salary in India under the provision of paragraph 5 above, you should either grant your Agents a power-of-attorney or leave your bills ready signed in their custody for presentation as they fall due. A guarantee bond undertaking to refund overpayments should be furnished by your Agents unless they have executed a general bond of indemnity.

(NOTE.—Paragraphs 5 and 6 do not apply to non-gazetted Government servants who have to draw their leave-salary through the Head of the office and should be omitted from the letters addressed to them.)

Accountant General.
Comptroller.

F. R. FORM No. 5.

(See paragraph 15 of Instructions.)

Information required by the Audit Officer before the leave-salary certificate can be drawn up.

(This form should be returned duly filled up to the Audit Officer one clear week before the date of making over charge.)

1. On what date do you intend to make 1.
over charge of your office ?
2. Before or after noon ? 2.
3. At what port do you intend to embark ? 3.
4. By what ship will you sail, and on 4.
what date ?
5. In what country do you wish to draw 5.
your leave-salary during leave on
average pay for a period not exceed-
ing four months, if any, at the com-
mencement of your leave ?
6. What is your address in England or 6.
in India or elsewhere to which your
leave-salary certificate, to enable
you to draw your leave-salary, may
be sent, in case it is not handed over
to you before you go on leave ?
7. What advance, if any, do you require 7.
now ?
8. Do you intend to pay your..... 8.
Civil Fund subscriptions in England
or in India ?
9. Do you wish to subscribe to the 9.
General Provident Fund ? If so, at
what rate per cent. on your leave
salary ?

Nos. 3 and 4 are for Government servants to whom the leave rules in Sections I to V of Chapter X of the Fundamental Rules are not applicable.

No. 5. (Leave-salary due for the first four months of the period of leave on average pay, if any, at the commencement of any period of leave out of India can be drawn in or out of India at the Government servant's option. In India they can be drawn only on the first of each month in arrears by an authorised agent under a guarantee bond or on production of a life certificate. The allowances for a broken period of a month may be drawn any time after the expiration of the leave.)

No. 7 is for military officers subject to the Military Leave Rules and for Chaplains only.

No. 8 is for members of the Indian Civil Service only.

NOTE.—In the case of non-gazetted Government servants to whom Note 9 to T. R. Form 3 or Note 4 to Form No. 1 under the Supplementary Rules apply, an additional question should be inserted to obtain the information required under that note.

Dated at.....

(Signature).....

The..... of..... 19 ..

(Designation).....

To the Accountant General,

F. R. FORM No. 6.

(See paragraph 17 of Instructions.)

Letter from the Accountant General when a Government servant is unable to call at his office.

To

THE.....*

SIR,

I have the honour to enclose the following documents.—

(1) A bill for Rs.....being the pay and allowances due to.....proceeding on leave out of India, up to the date before his leave commences. This you are to deliver to him on his giving you a certificate of his having made over charge of his office and, after he has signed it, to pay.

(2)’s leave-salary certificate, which you should give him when you pay his bill.

(3) The original and triplicate copies of the Colonial Leave-Salary Warrant. The original in which the signature of the Government servant should be obtained should be returned to this office and the triplicate made over to the Government servant.

(4) A copy of certificate of leave, which should be made over to the Government servant.

(5) A blank form (F. R. No. 7) of report of the date of leaving India, to be delivered along with the leave-salary certificate.

(6) A form (F. R. No. 8) of report of your having carried out these instructions which you will send to me.

Accountant General.
Comptroller.

Place.....

Date.....

F. R. FORM No. 7.

(See paragraph 20 of Instructions.)

Report of actual sailing.

FROM

.....

To

THE ACCOUNTANT GENERAL,

SIR,

I have the honour to report that I sailed from India by the steamer "....." which left.....on..... day the of.....19

I have, etc.,

(Signed)

Noted and forwarded to the Secretary to the Government ofDepartment.

Accountant General.
Comptroller.

The 19

F. R. FORM No. 8.

(See paragraph 21 of Instructions.)

Disbursing Officer's Report.

FROM

.....

To

THE ACCOUNTANT GENERAL,.....

SIR,

With reference to your letter No., dated....., I have the honour to report that the bill for Rs.....therein enclosed was delivered to.....on his giving me a certificate of having*made over charge of his office; and further that the bill having been paid, Mr... ..'s leave salary certificate Colonial leave-salary warrant certificate of leave was delivered to him, together with blank form (F. R. No. 7) of report of date of leaving India.

2. The original copy of the Colonial leave-salary warrant is returned herewith with the signature of the Government servant duly obtained therein.

I have, etc.,

(Signature).....

Place.....

Date.....

F. B. FORM No. 10.

(See paragraph 34 of Instructions.)

Service Book.

Space should be provided on the reverse of the title page of the service book to record thumb and finger impressions of (non-gazetted) Government servants under the following heading:—

“Thumb and finger impressions of (non-gazetted) Government servant.”

The opening page of the service book should contain the following entries:—

- (1) Name.
- (2) Race.
- (3) Residence.
- (4) Father's name and residence.
- (5) Date of birth by the Christian era as nearly as can be ascertained.
- (6) Exact height by measurement.
- (7) Personal marks for identification.
- (8) Signature of Government servant.
- (9) Signature and designation of the head of the office or other attesting officer.

NOTE.—[The entries in this page should be renewed or re-attested at least every five years, and the signature in lines (8) and (9) should be dated.]

The remaining folios of the service book should be divided into fifteen columns, viz.:—

- (1) Name of appointment.
- (2) Whether substantive or officiating, and whether permanent or temporary.
- (3) If officiating, here state substantive appointment.
- (4) Pay in substantive appointment.
- (5) Additional pay for officiating.
- (6) Other emoluments falling under the term “pay”.
- (7) Date of appointment.
- (8) Signature of Government servant.
- (9) Signature and designation of the head of the office or other attesting officer in attestation of columns 1—8.
- (10) Date of termination of appointment.
- (11) Reason of termination (such as promotion, transfer, dismissal, etc.).
- (12) Signature of the head of office or other attesting officer.
- (13) Leave taken—nature and duration of.
- (14) Signature of the head of the office or other attesting officer.
- (15) Reference to any recorded punishment or censure, or reward or praise of the Government servant.

FORM NO. I UNDER THE SUPPLEMENTARY RULES.

(See paragraphs 14 and 16 of Instructions.)

Colonial Leave-Salary Warrant.

(Obverse.)

Warrant No. of 192 .

A. B. having been granted leave for a period of.....months
and days under the orders of the Government of.....
is hereby allowed the privilege of drawing his leave-salary at.....
from.

2. His leave-salary will be as follows:—

Period				Rate in rupees a month.
From	to	..	..	....
From	to	..	..	....
From	to	..	..	....

3. The leave-salary will be payable monthly in sterling, converted from rupees at the rate of exchange for telegraphic transfers from Calcutta on London on the day on which each monthly payment becomes due, but will be subject to the following *maxima* and *minima*:—

Period		Maximum £ a month	Minimum £ a month.
From	to	..	..
From	to	..	..
From	to	..	..

4. In addition to the leave-salary shewn in paragraph 3, A. B. is entitled to exchange compensation allowance at the rate of $\frac{6\frac{1}{2}}{\text{Rs.}}$ per cent of his leave-salary a month. for the period from to.....
This should be converted into sterling at the rate prescribed in paragraph 3; provided that A. B. shall not receive less than £1 sterling for each 15 rupees of the allowance.

*5. The payment should be charged to the High Commissioner for India for appropriation by him of the leave-salary under the following heading:—

*The following particulars should be noted in this column:—

- (1) the major, minor and detailed head of account;
- (2) whether debitable to Central or Provincial revenues; if the latter, the name of the Provincial Government;
- (3) whether the expenditure pertains to a "Reserved" or a "Transferred" subject;
- (4) whether the expenditure is "voted" or "non-voted."

6. The following deductions are to be made from the leave-salary of each month before payment:—

I. C. S. Provident Fund deductions.		At 4 per cent. on leave-salary.	
		Rs.	£
<i>Civil Fund deductions</i>	Ordinary ..	....	....
Indian Civil Service	For self ..	....	....
Family Pension	„ sons ..	....	....
Fund Subscriptions.	„ daughters ..	....	....
Indian Military Service	Family Pension ..	....	....
Fund Subscriptions.			

NOTE 1.—Leave-salary is payable in rupees to Government servants residing in Ceylon during their leave (Fundamental Rule 91).

NOTE 2.—The signature of the Government servant concerned should be obtained on the original copy of the warrant.

NOTE 3.—The ordinary rate of conversion will be the rate of exchange for telegraphic transfers from Calcutta on London on the day on which each monthly payment becomes due, subject to the minimum rate of 1s 4d. per rupee in respect of leave-salary drawn on account of the first four months of leave on average pay and of 1s. 6d. per rupee in other cases. The maximum rates of leave-salary are those prescribed in Fundamental Rule 89 and the minimum rates those prescribed in Fundamental Rule 90.

NOTE 4.—In the case of Government servants to whom the rules regarding the grant of passages to Civilian Personnel of British domicile engaged for service in India, apply, an additional entry should be made showing whether they and their families were given the benefit of Rule VII, and whether they were allowed a similar benefit under either Rule VII or Rule VIII on returning to India.

Where the amount of a deduction is expressed in rupees, it shall be converted into sterling at the same rate as the leave-salary from which it is deducted.

Accountant General or
Comptroller.

Dated at

The..... 19 ..

(Reverse.)

Name, rank and description of payee.	Period for which payment is made.	Monthly rate.			Amount.			Signature of paying officer.	Receipt of payee.
		£	s	d.	£	s	d.		

One copy of this warrant will be retained by A. B. and will be given up to the Audit Officer in India on his return to India. Each payment will be recorded on the reverse of the copies kept by the Colonial Disbursing Officer and by A. B. and will be certified by the paying officer and receipted by A. B.

FORM NO. II UNDER THE SUPPLEMENTARY RULES.

(See paragraph 18 of Instructions.)

Certificate of Leave.

Granted to.....proceeding out of India.

1. Government under which employed.....

2. Post last held.....

3. Nature of leave granted.....

4. Date of commencement of leave.....

5. Date of expiry of leave.....

6. Whether a medical certificate of fitness must be produced before return to duty.....

7. Amount of leave, expressed in terms of leave on average pay, at the Government servant's credit on the expiry of the present leave

8. Period of leave on average pay which might, under Fundamental Rule 81, be granted if the present leave were extended.....

Signature.....

Audit Officer.

Place.....

Date.....

Note 1.—No leave-salary is payable on this certificate.*Note 2.*—This certificate must be produced before the High Commissioner, with any application for an extension of leave, or permission to return to duty or the grant of a last-pay certificate.

Memorandum explaining how the existing orders in the several articles in the Civil Service Regulations have been dealt with in the instructions issued by the Auditor General under Fundamental Rule 74.

1. *Paragraph 1.*—This includes the provisions contained at present in clauses (a) and (d) of Article 841 of the Civil Service Regulations. Under the existing system of audit it is necessary that the Audit Officer should certify the admissibility of the leave before it is sanctioned. The provision has, therefore, been retained as an instruction of the Auditor General.

2. *Paragraph 2.*—This order is not based on any rule at present included in the Civil Account Code or the Civil Service Regulations. A similar rule is, however, included in some departmental codes (*vide, e.g.,* paragraph 109, Public Works Department Code), and is followed in practice in all civil offices. Only leave which is admissible can be sanctioned and the admissibility of the leave can be verified only by a reference to the leave account. It is considered that an explicit rule to this effect should be contained in the authorised instructions.

3. *Paragraph 3.*—This provides for the orders in the note under Rule 1 below clause (2) of Article 314, Civil Service Regulations.

4. *Paragraph 4, Clause (a).*—The provision in this clause is intended to replace the orders contained in Articles 855-A and 856; Civil Service Regulations. The orders as they stand are very complicated and prescribe different sets of procedure for different kinds of officers. It would be sufficient if all the applications are required to be sent to the Civil Audit Officer who will, when necessary, consult the Military Audit Officers. Clause (b) provides for the orders contained at present in Articles 856 (c), 860, the Note under 871 and 875. As the Civil Audit Officer has to consult the Military Controller he can obtain the certificate at the same time.

5. *Paragraph 5.*—This reproduces the portion of orders in Article 780, Civil Service Regulations, which is essential for purposes of audit.

6. *Paragraph 6.*—Article 865 prescribes the locality in which the leave-salary of a non-gazetted Government servant should be drawn and the conditions which should be observed before it can be paid. Orders regarding locality cannot be issued as part of audit requirements and so paragraph 6 only prescribes the other conditions contained in Article 865. The general orders framed by the Governor General in Council under rule 16 of the Devolution Rules, include a provision to the effect that the leave-salary of a non-gazetted Government servant paid in India should be drawn only in that district in which his pay could be drawn if he were on duty.

7. *Paragraph 7.*—This reproduces that portion of the orders in Article 874 which relates to payment of leave-salary in India. The term "office of payment" has been substituted for "treasury" so that the rule may be applied even in the case of those departments which make their own payments, *e.g.,* by cheques.

8. *Paragraph 8.*—This reproduces the orders in Article 878 except that the provision that a certificate is necessary only when the Government servant proceeds from one place to another has been

cancelled because an authority from the Audit Officer specifying the leave-salary permissible is necessary in all cases. A clause has also been added at the end of this paragraph to the effect that, when the Government servant desires to change the office of payment, a fresh leave-salary certificate must be obtained from the Audit Officer within whose jurisdiction his last pay was drawn. This clause is taken from Article 887. As the instructions apply also to cases of Government servants on leave in India it has been included in this paragraph.

9. *Paragraph 9.*—This reproduces the orders in Article 864, Civil Service Regulations.

10. *Paragraph 10.*—This provides for the procedure laid down in Fundamental Rule 91, by which Government servants who reside in Asia during the leave have to draw their leave-salary in India. The note under the paragraph is an audit requirement.

11. *Paragraph 11* is intended to preserve the special procedure obtaining at present in these departments which is safeguarded by Article 866, Civil Service Regulations.

12. *Paragraph 12.*—A last-pay certificate has to be produced by a Government servant who has to draw arrears of leave-salary or pay due under Article 41, Civil Account Code, Volume I (8th edition).

13. *Paragraph 13.*—This reproduces the orders in Article 775-A, Civil Account Code, Volume II (7th edition).

14. *Paragraph 14.*—This reproduces part of the orders in Article 874, Civil Service Regulations, relating to the issue of a leave-salary certificate to those who desire to draw their leave-salary at the Home treasury and part of the orders in Article 888, Civil Service Regulations, relating to the issue of a Colonial warrant, with this difference that the Audit Officer who audits the pay of a Government servant is required to issue the Colonial leave-salary warrant in the place of Audit Officers at the ports of embarkation in India or Burma who were formerly issuing the warrants as stated in Article 888, Civil Service Regulations. The issue of a separate leave-salary certificate by the Audit Officer concerned as specified in Article 881 becomes unnecessary as he will himself issue a Colonial leave-salary warrant. A clause has been added to this rule providing for cases in which a gazetted Government servant may wish to draw his leave-salary in India during the first four months of leave on average pay. In these cases the leave-salary certificate, such as is ordinarily issued to a Government servant drawing his leave-salary in India, should be issued to cover the period during which the Government servant wishes to draw his leave-salary in India. This rule does not provide for non-gazetted Government servants proceeding on leave out of India as their cases are covered by paragraph 6 of these Instructions.

15. *Paragraph 15.*—This provides for the orders in Article 880, Civil Service Regulations. The note under the article is taken from Article 775, Civil Account Code, Volume II (7th edition).

16. *Paragraph 16* reproduces part of the orders in Article 881 which are not included in paragraph 14 as well as part of the orders in Article 889. The existing orders require that the Government

servant going on leave out of India should be paid up to the day before he leaves India. These orders apply to the case of Government servants who proceed on leave to which no privilege leave is prefixed. When the Government servant goes on privilege leave or on combined leave he is allowed to draw his allowances in England from the commencement of such leave. In future it would be simpler to have the leave-salary due from the commencement of the leave paid in England, if the Government servant so chooses, in all cases subject to the conditions in Fundamental Rule 91. This rule accordingly provides that the Government servant should be paid up to the date of his relief.

17. *Paragraph 17.*—This reproduces the orders in Article 882, except that it is provided that the Government servant should be paid up to the date of his relief and not up to the date of his sailing.

18. *Paragraph 18.*—This is taken from Articles 872 and 873, Civil Service Regulations.

19. *Paragraph 19.*—This is in accordance with Article 904, Civil Service Regulations.

20. *Paragraph 20.*—This reproduces the orders in Article 883, Civil Service Regulations. As, under Fundamental Rule 68, the leave of a Government servant commences on the day on which transfer of charge is effected and does not depend upon the date of departure of the vessel in which the Government servant sails, the report of actual sailing is not required in the case of those to whom the rules in Sections I to V of Chapter X of the Fundamental Rules are applicable.

21. *Paragraph 21.*—This provides for the orders in Article 884 and part of Article 889. "The High Commissioner for India" has been substituted for the "Secretary of State" and "India Office" as the former officer is now making payments of leave-salary in England.

22. *Paragraph 22.*—This reproduces the orders in Article 885, Civil Service Regulations.

23. *Paragraph 23.*—This provides for the orders in Article 898 (a), Civil Service Regulations.

24. *Paragraph 24.*—This is taken from the latter part of Article 300, Civil Service Regulations.

25. *Paragraph 25.*—This is a reproduction of the orders in Article 877, Civil Service Regulations.

26. *Paragraph 26.*—This is a part of the orders in Article 889, Civil Service Regulations.

27. *Paragraph 27.*—This is taken from Articles 886 and 890, Civil Service Regulations.

28. *Paragraph 28* is taken from Article 876, Civil Service Regulations.

29. *Paragraph 29 to 32* are taken from Articles 855, 857 (b) and (a) and 611, Civil Service Regulations.

30. *Paragraph 33.*—This is a necessary record for purposes of reference.

31. *Paragraphs 34 and 35.*—These rules indicate the form in which records of service of non-gazetted Government servants should be maintained and the procedure that should be followed in maintaining them.

Memorandum of information for the guidance of Government servants proceeding on leave out of India.

Report of sailing.

1. If a certificate of departure accompanies this memorandum, the Government servant should sign, stamp and post it to the Audit Officer from whom the memorandum is received.

Date of commencement of leave.

2. Leave begins on the day on which transfer of charge is effected, or if charge is transferred after noon, on the following day.

Leave-salary certificate for payment in India.

3. Under Fundamental Rule 91, a Government servant may draw in India the leave-salary of the first part of any period of leave on average pay up to a maximum of four months whether such leave be taken by itself or at the commencement of a longer period of leave. When a Government servant on leave out of India exercises this option and desires to draw his leave-salary in India—

- (1) his pay and allowances up to the date preceding that on which his leave commences are payable in India under the usual rules; and
- (2) if he is a gazetted Government servant, he must inform the Audit Office which audits his pay in his last post, through a form which will be received from it, from what treasury he wishes to draw his leave-salary and through what agency.

4. In cases not falling under paragraph 3 above—

Leave-salary certificate for payment at the Home Treasury.

- (1) the pay and allowances of the Government servant will be paid to him before he leaves India and the Audit Officer who audits his pay in his last post will arrange for this; and
- (2) the Government servant must take with him a leave-salary certificate to enable him to draw his leave-salary from the Home Treasury.

If the certificate cannot be prepared in time, or if a Government servant proceeding on leave to Europe is compelled to leave without a certificate, it will be forwarded to him to any address which he may leave.

Colonial leave-salary warrant for payment of leave-salary in a Colony.

5. If a Government servant intends to draw leave-salary in any of His Majesty's Colonies, the Audit Officer who audits his pay in his last post will furnish him with a warrant addressed to the Colonial officer only on condition that any fund subscriptions due from him shall either be paid in advance or taken by deduction; in the latter case, the warrant to the Colony will show only the net amount payable after such deduction.

Leave on medical certificate

6. A Government servant taking leave out of India on medical certificate should take with him one copy of the Medical Report upon his case, and be prepared to produce it before the Medical Board at the India Office, if required to do so.

7. If a Government servant proceeds on extraordinary leave out of India, or on leave on average pay out of India during which he does not propose to draw leave-salary, or if a Government servant proceeds to a Colony, he should obtain a certificate of leave in Form No. II under the supplementary rules from the Audit Officer who audits his pay in his last post. This certificate has to be presented by the Government servant to the High Commissioner for India, if he is on leave in Europe, North Africa, America or the West Indies and applies for extension of leave or for permission to return to duty or for a last-pay certificate before returning to duty.

Certificate of leave necessary in certain cases.

8. Subscriptions on account of the Bengal, Bombay and Madras Civil Funds, and the Bengal and Madras Service Family Pension Fund may be paid either in India or in England at the option of the subscriber, and arrangement should be made for such payment by the subscriber. In the case of Military officers in Civil employ subscriptions on account of Indian Military Service Family Pension Fund will be deducted from the leave-salary of the officers concerned. Officers should see that the necessary deductions are made. Premia and subscriptions on Postal Insurance Policies and contracts for monthly allowances, subscriptions for the Uncovenanted Service Family Pension Fund, the General Family Pension Fund, and the Hindu Family Annuity Fund are not payable in England.

Subscriptions to Funds.

9. Subscriptions to the General Provident Fund may be paid by remittance in cash to the Audit Office which audited his pay in his last post in the case of a Government servant on leave who draws his leave-salary from a Colonial Treasury, but when a subscriber draws his leave-salary from the Home Treasury of the Government of India, his subscription may be paid by deduction from such salary.

A Government servant who draws his leave-salary from the Home Treasury and who desires to subscribe during leave must notify his intention beforehand in order to allow of the deductions from his leave-salary being noted in his leave-salary certificate. He will not be subsequently permitted to discontinue subscribing during leave.

10. Before departure on leave, a subscriber to the Indian Civil Service Provident Fund should intimate to the Account officer of the province or department in which he is permanently employed, the amount which he desires to contribute monthly during his leave. A subscriber to the Bengal and Madras Service Family Pension Fund should communicate with the Accountant-General, Central Revenues; and a subscriber to any other fund with the Secretary of the fund concerned, informing him of the arrangement he proposes to make regarding the payment of his subscription during his absence.

11. Contributions due under the Indian Civil Service Family Pension Regulations must be paid in England in sterling. If a subscriber, previous to quitting India, has commenced the payment of any donation by instalments, he may either complete the payment of his donation in India before leaving or pay the remaining instalments in England at English rates. Subscribers to this fund will obtain, from the Audit Officer who audits his pay in his last post, a certificate of the date up to which they have paid their subscriptions.

**Report of
arrival in
the United
Kingdom.**

12. When a Government servant arrives in the United Kingdom, he should at once report his arrival by letter to the Commissioner for India, giving an address at which letters will find him, and he should forward his leave-salary certificate to the same authority on arrival, or as soon as he receives it from India.

**Payment at
the Home
Treasury.**

13. The leave-salary of all Government servants is issued from the Home Treasury monthly in arrear on the first day of each calendar month. They will be paid to the Government servant on his personal application, or to his banker or other agent, duly authorised under power-of-attorney, on production of a life certificate filled up and executed in the manner directed thereon (except in cases where proof of existence is not required owing to the banker having guaranteed the Secretary of State or the High Commissioner against loss consequent on his dispensing with the production of such proof), or on presentation of a payment form comprising a receipt and a life certificate both duly completed by the Government servant. A supply of life certificate forms may be obtained from the High Commissioner on the Government servant's written application.

NOTE.—If the Government servant intimates to the High Commissioner his election of this method, he will be regularly supplied with the requisite payment form as the due date of issue approaches.

**Payment in a
Colony.**

14. Payment of leave-salary will not be made by a Colonial authority unless the Government servant produces his copy of the warrant. Each payment made in the Colony will be endorsed upon the warrant.

When no space for the entry of endorsements of payment remains upon the back of a Colonial leave-salary warrant, or when a warrant is lost or destroyed, the Government servant concerned should make an application for a fresh warrant through the Colonial Disbursing Officer to the Audit Officer who issued the original warrant.

**Transfer of
payment from
one Colony
to another.**

15. If the transfer from one Colony to another of payment of the leave-salary of a Government servant is sanctioned by the Colonial authorities, such transfer must be reported by the Government servant to the Governor General in Council and to the High Commissioner.

**Transfer of
payment from
the Home
Treasury to a
Colony and
vice versa.**

16. If a Government servant drawing his leave-salary in a Colony desires to transfer payment to the Home Treasury, he can do so on production of his warrant to the High Commissioner. If one drawing his leave-salary from the Home Treasury desires to transfer payment to a Colony, he must obtain a warrant from the High Commissioner. A transfer of this kind must be reported by the Government servant to the Governor General in Council.

**Extension or
commutation
of leave.**

17. A Government servant absent on leave in Europe, North Africa, America or the West Indies who wishes to have his leave extended or commuted, must apply to the High Commissioner for India about three months before the expiry of his leave, and, unless the extension is desired on medical grounds, or is for a period of not more than 14 days, he must produce with his application evidence that the Government on whose cadre he is borne has been referred to by him and has no objection to the extension or commutation desired. It is in exceptional cases only that the High Commissioner will grant an extension without the production of

such evidence and then for such period only as may be necessary to obtain the orders of the Government concerned, which will be sought by telegraph at the applicant's expense.

18. If on medical grounds a Government servant on leave in any of the localities named in paragraph 17 desires an extension for more than 14 days, he must satisfy the Medical Board at the India Office of the necessity for the extension. In order to do so, he must, as a general rule, appear at the India Office for examination by the Board, but in special cases, and particularly if he is residing at a distance of more than sixty miles from London, a certificate in a form to be obtained from the High Commissioner may be accepted if signed by two medical practitioners. A certificate obtained outside the United Kingdom and signed by foreigners must be attested by consular or other authority as bearing the signature of qualified medical practitioners. If application for extension be delayed until the last two months of leave, advice of any extension granted for a period of more than seven days will be sent to India by telegraph and the cost of the telegram will ordinarily be charged to the Government servant.

19. If a Government servant on leave in any of the localities named in paragraph 17 has been granted leave on medical certificate and desires an extension on grounds other than medical, he must satisfy the Medical Board as prescribed in paragraph 18 above that he has recovered his health. Any such extension without medical certificate will only be admissible if the extension was due at the time the original leave was granted.

In the case of a Commissioned Medical Officer the local Government will make a reference to the Director General, Indian Medical Service, before granting the permission.

20. A Government servant on leave out of India elsewhere than in any of the localities named in paragraph 17, who wishes to have his leave extended or commuted must apply three months before the expiry of the leave to the authority in India which granted it.

21. If an application made under paragraph 20 above is for an extension of leave on medical certificate, it must be accompanied by a certificate from two medical practitioners in the following form:—

"We hereby certify that we have carefully examined C. D. of the.....who is suffering from.....and we declare upon our honour that, according to the best of our judgment and belief, he is at present unfit for duty in India, and that it is absolutely necessary for the recovery of his health that his present leave, which will expire in India on.....shall be extended by.....^{months}_{weeks}....."

"Date....."

"Place....."

The certificate must describe in full detail the nature of the disease and the present condition of the Government servant. If

it be signed by foreigners, it must be attested by consular or other authority as bearing the signatures of qualified medical practitioners.

22. An extension of leave will not be granted by the High Commissioner to a Government servant to whom no leave-salary certificate or colonial leave-salary warrant has been issued unless he produces a certificate of leave (*vide* paragraph 7 *ante*).

23. Leave out of India on medical certificate may be commuted into leave without medical certificate if such leave was due at the time when the original leave was granted, and if the Government servant seeking commutation is certified, in the manner prescribed, to have recovered his health. When extension of the commuted furlough is applied for, the application must be supported by evidence that the Government servant's local Government consents to the extension of his leave.

24. A Government servant who remains absent after the end of his leave is entitled to no leave pay for the period of such absence unless his leave is extended by the local Government. Wilful absence from duty after the expiry of leave may be treated as misbehaviour for the purpose of Fundamental Rule 15, which runs as follows:—

“A Government servant shall not, save in the case of inefficiency or misbehaviour, be transferred substantively to a post carrying less pay than his relative position in the cadre of the service to which he belongs would justify.”

Return from leave.

25. A Government servant may not, without the permission of the authority which granted him leave, return to duty more than fourteen days before the end of long leave. The rule applies to Military officers subject to the Military Leave Rules. He must obtain permission to return to duty from the local Government.

26. A Government servant who is required to produce a medical certificate of fitness before returning to duty, must obtain permission to return to duty before so returning.

27. If the Government servant desiring to return is on leave in any of the localities named in paragraph 17, his application must be made to the High Commissioner and he must satisfy the Medical Board at the India Office of his fitness to return at least two months before the expiry of his leave. In order to do so, he must follow the procedure prescribed in paragraph 18 above. When the Medical Board has been satisfied, the High Commissioner will grant permission to return.

28. If the Government servant desiring to return is on leave out of India elsewhere than in the localities named in paragraph 17, his application must be made to the authority which granted his leave and must be accompanied by a certificate of fitness in the prescribed form.

29. Permission to return will not be granted to a Government servant to whom no leave-salary certificate or colonial leave-salary warrant has been issued, until he produces a certificate of leave.

Last-pay certificate.

30. Before returning to duty, a Government servant on leave in Europe must obtain a last-pay certificate from the High

Commissioner. A last-pay certificate will not be granted to a Government servant to whom no leave-salary certificate has been issued unless he produces a certificate of leave. A Government servant who has drawn his leave-salary on a warrant must, on return to India, deliver to the Audit Officer by whom the pay of the post which he will join be audited, his copy of the warrant which will serve as a last-pay certificate.

31. A gazetted Government servant must report his return to duty to the Government under which he is serving. A Chaplain must report his return to the Bishop of his Diocese also. **Procedure on return to duty.**

32. A Government servant is not entitled on his return from leave to resume, as a matter of course, the particular post he vacated before his departure on leave, even though that post may be his substantive post; he must report his return to duty and await orders.

NOTE.—Members of the Engineer or Upper Subordinate Establishment of the Public Works Department should, on arrival at the port of disembarkation, report themselves personally to the Secretary in the Public Works Departments of Bengal, Madras, Bombay or Burma as the case may be, and ask for orders. If they return *via* Karachi, they should apply to the office of the Executive Engineer, Karachi Canals, for orders.

33. A Government servant may return to India by any port and his leave ends on the day preceding that on which the vessel arrives at the port where he last quits it. If, however, the leave from which he returns is of four months' duration or less, his leave ends on the day preceding that on which he takes charge of his duties, unless he takes charge in the afternoon when the leave terminates on and includes that day.

34. On return to duty, the last-pay certificate obtained from the High Commissioner should be exchanged for a last-pay certificate which the Audit Office of the province to which he has been posted will furnish addressed to the Treasury or office at which, after his return, the Government servant intends to draw his pay and allowances.

35. A Government servant returning from leave out of India may be granted an advance of his leave-salary for the unexpired portion of his leave subject to a maximum of 35 days from the date of embarkation for India. On arrival in India an advance may, if he desires it, be paid to a Government servant by or under the order of the Audit Office of the province to which he has been posted under rules framed by the local Government. **Advances.**

To a Chaplain proceeding on furlough (not combined with privilege leave) to England, an advance of the first quarter's allowance may be made in India which will not be recoverable in the event of his death.

To a Military officer subject to the Military Furlough Regulations of 1868 proceeding on furlough (not combined with privilege leave) to England, an advance of furlough pay may, if he desires it, be made for three months from the date of embarkation. Payments in continuation will be made in England on the expiration of four months from that date.

Acceptance of
service during
leave.

36. A Government servant is not permitted to take any service or accept any employment without obtaining the previous sanction of—

- (a) the Secretary of State, if the Government servant is residing in Europe, North Africa, America or the West Indies; or

[1 A Civil Government servant on leave, who has received orders from the War Office or any other department of State in England to undertake any duty in the case of a national emergency, should obtain the permission of the Secretary of State before complying with such orders.]

- (b) the Governor General in Council, or the authority competent to appoint him, if he is residing elsewhere.

Hospital for
Tropical
Diseases,
Endsleigh
Gardens.

• 37. Government servants from India in the United Kingdom suffering from Tropical Diseases are not always aware that, whether they are actually on leave on medical certificate or not, it may be to their advantage to appear before the Medical Board in order that the Board may advise them as to the best steps to take regarding such diseases.

Arrangements have been made for the diagnosis and preliminary treatment of the diseases at the Hospital for Tropical Diseases, Endsleigh Gardens, N. W. 1. A report is furnished to officers by the Hospital, which they can take with them to their own medical adviser, who can then carry out the treatment suggested. The expense of the Examination and preliminary treatment at the Hospital for Tropical Diseases is defrayed by the India Office.

To secure these advantages, however, a recommendation to the Hospital for Tropical Diseases by the Medical Board is necessary, and, therefore, Government servants who wish to avail themselves of this arrangement should apply to appear before the Medical Board of the India Office as soon as possible after arrival.

APPENDIX No. 10.

[F. R. 74(b).]

Leave Procedure Rules made under Fundamental Rule 74 (b).*Report of arrival in the United Kingdom.*

1. A Government servant taking leave in the United Kingdom must report his arrival in that country to the High Commissioner for India.

Payment of Leave Salary.

2. No Government servant can begin to draw leave salary from the Home Treasury until he has presented to the High Commissioner a leave-salary certificate in such form as the Auditor-General may prescribe. **Payment at Home Treasury.**

3. Leave-salary is issued from the Home Treasury monthly, in arrear on the first day of each calendar month.

4. Payment will be made, at the option of the Government servant drawing leave-salary, by any of the following methods:—

(a) To the Government servant himself on his personal application.

(b) To his banker or other agent, duly authorised under power-of-attorney, on production of a life certificate duly filled up and executed. In cases where the banker has guaranteed the Secretary of State or the High Commissioner against loss consequent upon dispensation with proof of existence, a life certificate is unnecessary.

NOTE — A supply of life certificate forms may be obtained from the High Commissioner

(c) To the presenter of a payment form comprising a receipt and a life certificate, both duly completed by the Government servant.

NOTE.—If the Government servant intimates to the High Commissioner his election of this method, he will be regularly supplied with the requisite payment form as the due date of issue approaches

5. No Government servant can begin to draw leave-salary from a Colonial treasury until a warrant in form 1 has been issued in his favour. Such warrants will be issued in triplicate. The original, bearing the Government servant's signature, will be forwarded by the issuing authority to the Colonial authority concerned; the duplicate to the High Commissioner; and the triplicate will be retained by the Government servant. Payment of leave-salary will not be made unless the Colonial authority is in possession of the original and the Government servant of the triplicate of the warrant. **Payment in Colony.**

6. Each payment of leave-salary must be endorsed upon the back of both the original warrant and the triplicate, and an acknowledgment of receipt must be endorsed by the Government servant upon the back of both copies.

7. When no space for the entry of endorsements of payment remains upon the back of a warrant, or when a warrant is lost or destroyed, a fresh warrant will be issued by the original issuing authority on the application of the Government servant submitted through the Colonial disbursing officer.

8. If the transfer from one Colony to another of payment of the leave-salary of a Government servant is sanctioned by the Colonial authorities, such transfer must be reported by the Government servant to the Governor-General in Council and to the High Commissioner.

**Transfer of
payment from
the Home
Treasury to a
Colony and
vice versa.**

9. (a) If a Government servant who is drawing his leave-salary in a Colony desires to transfer payment to the Home Treasury, he can do so on production of his warrant to the High Commissioner.

(b) If a Government servant who is drawing his leave-salary from the Home Treasury desires to transfer payment to a Colony, he must obtain a warrant in Form I from the High Commissioner, who will forward the original of the warrant to the Colonial authority concerned.

(c) A transfer sanctioned under clause (a) or (b) of this rule must be reported by the Government servant to the Governor-General in Council.

Extension of Leave.

General rule.

10. A Government servant absent from India on leave who desires an extension of his leave must make application for such extension not less than three months before the expiry of his leave. An application made within three months from such expiry will not be considered unless special reasons for consideration exist.

**Applications
by Govern-
ment servants
on leave in
Europe, North
Africa,
America or
the West
Indies.**

11. An application for extension of leave by a Government servant on leave in Europe, North Africa, America or the West Indies must be made to the High Commissioner. Unless the extension is desired on medical grounds or is for a period of not more than fourteen days, the application must be accompanied by evidence that the Government on whose cadre the Government servant is borne has been consulted and has no objection to the extension. It is in exceptional cases only that the High Commissioner will grant an extension without the production of such evidence, and then for such period only as may be necessary to obtain the orders of the Government concerned, which will be sought by telegraph at the applicant's expense.

12. If a Government servant on leave in any of the localities named in rule 11 desires, on medical grounds, an extension for a longer period than fourteen days, he must satisfy the Medical Board at the India Office of the necessity for the extension. In order to do so, he must, as a general rule, appear at the India Office for examination by the Board; but in special cases, and particularly if he be residing at a distance of more than sixty

miles from London, a certificate in a form to be obtained from the High Commissioner may be accepted if signed by two medical practitioners. A certificate obtained outside the United Kingdom and signed by foreigners must be attested by consular or other authority as bearing the signatures of qualified medical practitioners.

13. If a Government servant on leave in any of the localities named in rule 11 desires, on grounds other than medical, an extension of leave granted on medical certificate, he must satisfy the Medical Board at the India Office by the procedure described in rule 12, that he has recovered his health.

14. An application for extension of leave by a Government servant on leave out of India elsewhere than in the localities named in rule 11 must be made to the authority which granted the leave.

Applications by Government servants on leave elsewhere out of India.

15. If an application made under rule 14 is for an extension of leave on medical certificate, it must be accompanied by a certificate from two medical practitioners in the following form:—

“ We hereby certify that we have carefully examined C. 1). of the.....who is suffering from..... and we declare upon our honour that, according to the best of our judgment and belief, he is at present unfit for duty in India, and that it is absolutely necessary for the recovery of his health that his present leave, which will expire in India on....., shall be extended by.....
months ”
weeks ”

Date.....

Place.....

The certificate must describe in full detail the nature of the disease and the present condition of the Government servant. If it be signed by foreigners, it must be attested by consular or other authority as bearing the signatures of qualified medical practitioners.

16. An extension of leave will not be granted by the High Commissioner to a Government servant to whom no leave-salary certificate has been issued, or who has exchanged his leave-salary certificate for a warrant before leaving India, unless he produces a certificate of leave in form II.

Certificate of leave necessary before extension can be granted to a Government servant who is not in possession of a leave-salary certificate.

Return from Leave.

17. A Government servant who is required, by or under fundamental rule 71, to produce a medical certificate of fitness before returning to duty, must obtain permission to return to duty before so returning.

Permission to return.

18. If the Government servant desiring to return is on leave in any of the localities named in rule 11, his application must be made to the High Commissioner and he must satisfy the Medical Board at the India Office of his fitness to return at least two months before the expiry of his leave. In order to do so, he must

follow the procedure prescribed in rule 12. When the Medical Board has been satisfied, the High Commissioner will grant permission to return.

19. If the Government servant desiring to return is on leave out of India elsewhere than in the localities named in rule 11, his application must be made to the authority which granted his leave and must be accompanied by a certificate of fitness in the prescribed form.

20. Permission to return cannot be granted to a Government servant to whom no leave-salary certificate has been issued, or who has exchanged his leave-salary certificate for a warrant before leaving India, until he produces a certificate of leave in form II.

Last-pay
certificate.

21. Before returning to duty, a Government servant on leave in Europe must obtain a last-pay certificate from the High Commissioner. A last-pay certificate cannot be granted to a Government servant to whom no leave-salary certificate has been issued unless he produces a certificate of leave in form II. A Government servant who has drawn his leave-salary on a warrant must, on return to India, deliver to the audit officer his copy of the warrant, which will serve as a last-pay certificate.

FORM No I.

Colonial leave-salary warrant.

(Obverse.)

Warrant No.....of 19 .

A. B., having been granted leave for a period of..... months and.....days under the orders of the Government of.....is hereby allowed the privilege of drawing his leave-salary at.....from.....

2. His leave-salary will be as follows:—

Period.	Rate in rupees a month.
From to.....
From.... . to
From.....to.....

3. The leave-salary will be payable monthly in sterling, converted from rupees at the rate of exchange for telegraphic transfers from Calcutta on London on the day on which each monthly payment becomes due, but will be subject to the following maxima and minima:—

Period.	Maximum £ a month.	Minimum £ a month.
From .. to.....
From .. to.....
From .. to.....

4. In addition to the leave-salary shown in paragraph 3, A. B. is entitled to exchange compensation allowance at the rate of sterling at the rate of his leave-salary for the period from..... to..... This should be converted into sterling at the rate prescribed in paragraph 3; provided that A. B. shall not receive less than £1 sterling for each 15 rupees of the allowance.

*5. The payments should be charged to the High Commissioner for India, for appropriation by him of the leave-salary under the following heading.....

6. The following deductions are to be made from the leave-salary of each month before payment:—

		Rs.	£
I. C. S. Provident Fund deductions ..	At 4 per cent of leave-salary		
Civil Fund deductions ..	Ordinary ..	....	....
Indian Civil Service Family Pension Fund Subscriptions ..	For self ..	....	....
Indian Military Service Family Pension Fund Subscriptions ..	For sons ..	....	....
	For daughters ..	....	....

Where the amount of a deduction is expressed in rupees, it shall be converted into sterling at the same rate as the leave-salary from which it is deducted.

Dated at.....

The..... 19 ..

Accountant General or Comptroller.

*The following particulars should be noted in this column:—

- (i) the major, minor and detailed head of account,
- (ii) whether debitable to Central or Provincial revenues, if the latter, the name of the Provincial Government,
- (iii) whether the expenditure pertains to a reserved or a transferred subject; and
- (iv) whether the expenditure is voted or non-voted.

NOTE 1.—Leave salary is payable in rupees to Government servants residing in Ceylon during their leave (fundamental rule 91)

NOTE 2.—The signature of the Government servant concerned should be obtained on the original copy of the warrant.

NOTE 3.—The ordinary rate of conversion will be the rate of exchange for telegraphic transfers from Calcutta on London on the day on which each monthly payment becomes due, subject to a minimum rate of 1s. 4d. per rupee in respect of leave-salary drawn on account of the first four months of leave on, average pay and at 1s. 4d. per rupee in other cases. The maximum rates of leave-salary are those prescribed in fundamental rule 89 and the minimum rates those prescribed in fundamental rule 90.

(Reverse.)

Name, rank and description of payee.	Period for which payment is made.	Monthly rate.			Amount.			Signature of paying officer.	Receipt of payee.
		£	s.	d.	£	s.	d.		

One copy of this warrant will be retained by A. B. and will be given up to the audit officer in India on his return to India. Each payment will be recorded on the reverse of the copies kept by the Colonial disbursing officer and by A. B. and will be certified by the paying officer and receipted by A. B.

FORM II.

Certificate of leave.

Granted toproceeding out of India.

1. Government under which employed.....
2. Post last held.....
3. Nature of leave granted... ..
4. Date of commencement of leave.....
5. Date of expiry of leave.. ..
6. Whether a medical certificate of fitness must be produced before return to duty.....
7. Amount of leave, expressed in terms of leave on average pay, at the Government servant's credit on the expiry of the present leave.....
8. Period of leave on average pay which might, under fundamental rule 81, be granted if the present leave were extended.....

Signature,

Audit Officer.

Date.....

Place.....

NOTE 1.—No leave-salary is payable on this certificate.

NOTE 2.—This certificate must be produced before the High Commissioner with any application for an extension of leave or permission to return to duty as the grant of a last-pay certificate.

Memorandum explanatory of each rule in the rules of leave procedure made under Fundamental Rule 74 (b).

Rule 1 is taken from article 222, Civil Service Regulations, with the substitution of the High Commissioner for the Secretary of State.

Rule 2.—This is taken from articles 867 and 874, Civil Service Regulations, and covers the first part of article 886 also. The High Commissioner has been substituted for the Secretary of State, as he will in future pay leave-salary on behalf of the Government of India.

Rule 3 replaces the first part of article 869 of the Civil Service Regulations. The old arrangements of quarterly calculations and rounded instalments will not be maintained in future.

Rule 4 replaces the second part of article 869, Civil Service Regulations. At the suggestion of the High Commissioner, the procedure has been modified in some respects.

Rule 5 contains the substance of the first part of article 889, Civil Service Regulations.

Rule 6 is the second part of article 889, Civil Service Regulations, amplified in accordance with existing practice.

Rule 7 contains the substance of the last part of article 889, Civil Service Regulations.

Rule 8 contains the relevant part of article 891, Civil Service Regulations, with the High Commissioner substituted for the Under Secretary of State.

Rule 9 provides for certain cases for which the old rules make no specific provision. It is considered unnecessary in this connection to provide for article 871 (b), Civil Service Regulations, as the procedure thereby prescribed follows necessarily from rules 2 and 5.

Rule 10 contains a regulation previously embodied in articles 299 (a) and 300, Civil Service Regulations.

Rule 11 contains the substance of the first paragraph of article 299 (a), Civil Service Regulations, and of article 299 (b), with the substitution of the High Commissioner for the Secretary of State. The rule makes no mention of commutation of leave, which ceased to exist, under that name, when the fundamental rules came into force. It is considered unnecessary to repeat in these rules the provision that the Government servant on leave must pay the cost of telegrams. The High Commissioner will see to this, and the fact will be mentioned in the memorandum of instructions to officers proceeding on leave. The note under article 299 (b) has been omitted for similar reasons.

Rule 12 contains the substance of the second paragraph of article 299 (a), Civil Service Regulations, read with article 838 (a).

Rule 13 contains the substance of the first part of the third paragraph of article 299 (a), Civil Service Regulations. The second part of that paragraph is omitted, as it is considered to be unsuitable under the new leave rules.

Rule 14 is taken from the first part of article 300, Civil Service Regulations.

Rule 15 is article 838 (b), Civil Service Regulations, re-worded in places.

Rule 16 is taken from articles 872 and 873, Civil Service Regulations.

Rule 17.—The fact stated in this rule is nowhere in the Civil Service Regulations laid down as a general rule, but it follows as a matter of course from the provision in fundamental rule 71 for the production of a medical certificate.

Rule 18 contains the substance of the relevant portion of article 224, Civil Service Regulations, with the substitution of the High Commissioner for the India Office.

Rule 19 also follows as a matter of course from fundamental rule 71. The Government of India propose to delegate the power of extending leave to the authority which granted it.

Rule 20 is taken from articles 872 and 873, Civil Service Regulations.

Rule 21.—“Leave-salary Certificate” is the new title adopted by the Auditor General in his leave procedure rules. The requirement of such a certificate is taken from article 886, Civil Service Regulations; that of a certificate of leave is obviously necessary before a last-pay certificate can be granted; and the delivery of a warrant is taken from article 890, Civil Service Regulations.

APPENDIX No. 20 (I).

(P. R. 84.)

**Government of India, Finance Department, Resolution
No. 1896-C.S.R., dated the 25th September 1923.**

The Secretary of State in Council is pleased to prescribe, with reference to Fundamental Rule 84, the following rules to regulate the grant of leave to officers for the study of scientific, technical or similar problems, or in order to undertake special courses of instruction. They have effect from the 1st January 1922.

Rules for the grant of additional leaves to Officers for the Study of Scientific, Technical or Similar Problems, or in order to undertake special Courses of Instruction.

The following rules relate to study leave only. They are not intended to meet the case of officers deputed to other countries at the instance of Government, either for the performance of special duties imposed on them or for the investigation of specific problems connected with their technical duties. Such cases will continue to be dealt with on their merits under the provisions of Rules 50 and 51 of the Fundamental Rules. The rules apply to the Archæological Department, the Sanitary and Bacteriological Departments (other than as regards officers of the Indian Medical Service, to whom special rules apply), the Botanical Survey (including the officers of the Royal Botanic Garden, Calcutta), the Civil Veterinary Department, the Factory Department, the Geological Survey, the Agricultural Department, the Meteorological Department, the Railway Department (Traffic, Locomotive and Engineering Branches), the Telegraph Department, the Zoological Survey, the Education Department, the Public Works Department and the Forest Department (except in respect of continental tours, to which special rules apply). The rules may be extended by the authorities empowered to sanction study leave under Rule 1 to any officer, including an officer of a Provincial Service, not belonging to any of the departments mentioned above, in whose case the sanctioning authority is of opinion that leave should be granted in the public interests to pursue a special course of study or investigation of a scientific or technical nature.

NOTE.—The extension of these rules to the Public Works Department does not effect the existing rule under which officers of less than 12 years' service are allowed to visit engineering works when on leave in Great Britain, travelling expenses only being reimbursed.

1. Extra furlough for the purpose of study leave may be taken either in or outside India. It may be granted to an officer of any of the departments named above by the Local Government or Administration under which he is serving, provided that when an officer borne permanently on the cadre of one province or department is serving temporarily in another province or department the grant of leave is subject to the conditions (a) that the sanctioning authority can make local arrangements to carry on his work in his

absence, and (b) that the sanction of the province or department to which he is permanently attached is obtained before leave is given. Study leave should not ordinarily be granted to officers of less than five years service or to officers within three years of the date at which they have the option of retiring, or, if they have the option of retiring after 20 years' service, within three years of the date at which they will complete 25 years' service. Nor should it be granted to officers who are about to retire on proportionate pension.

2. The grant of study leave should be made with due regard to the exigencies of the public service. In no case should the grant of this leave, in combination with ordinary leave, involve an absence of over two years from an officer's regular duties, or exceed two years in the whole period of an officer's service; nor should it be granted with such frequency as to remove him from contact with his regular work or to cause cadre difficulties owing to his absence on leave. A period of 12 months at one time should ordinarily be regarded as a suitable maximum, and should not be exceeded save for exceptional reasons.

3. An officer whose study leave is combined with any other kind of leave should be required to take his period of study leave at such a time as to retain, at its conclusion, a balance of other previously sanctioned leave sufficient to cover the period spent in returning to duty.

4. When an officer has been granted a definite period of study leave and finds subsequently that his course of study will fall short of the sanctioned period to any considerable extent, his absence from duty should be reduced by the excess period of study leave unless he produces the assent of the sanctioning authority in India to his taking it as ordinary furlough.

5. Except as provided in Rule 6, all applications for study leave should be submitted with the audit officer's certificate to the Head of the Department through the prescribed channel, and the course or courses of study contemplated and any examination which the candidate proposes to undergo should be clearly specified therein.

6. Officers on furlough or other leave in Europe or America, who wish to have part of it converted into study leave, should address the High Commissioner for India and should attach (1) a statement showing how they propose to spend the study leave, and (2) documentary evidence that their application for the particular course of study or examination proposed has the approval of the proper authorities in India. Similarly, officers on furlough or other leave in Europe or America who desire to have it extended for purposes of study, should address the High Commissioner, but in addition to the above requirements they must support their applications with documentary evidence of their having obtained the approval of the authorities concerned in India to their applying for an extension of leave.

7. A study allowance will be granted for the period spent in prosecuting a definite course of study at a recognised institution or in any definite tour of inspection of any special class of work, as well as for the period covered by any examination at the end of the course

of study. The rates as at present fixed are 12s. a day in the United Kingdom, £ 1 a day on the continent of Europe, and 30s. a day in the United States of America. These rates are liable to revision. The rate to be granted to officers who take study leave in other countries, including India, will be specially considered by the High Commissioner or the Government of India, as the case may be, in each case. In no case will subsistence allowance be granted in addition to study allowance, and ordinarily travelling expenses will not be paid, but in exceptional cases claims will be considered on their merits by the Government of India or High Commissioner.

8. Study allowance will be admissible up to 14 days for any period of vacation. A period during which an officer interrupts his course for his own convenience cannot be considered as vacation. In the case of an officer retiring from the service without returning to duty after a period of study leave the study allowance will be forfeited. If the officer is under civil leave rules the study leave will be converted into furlough to the extent of the furlough standing to his credit at the date of retirement. Any balance of the period of study leave mentioned above which cannot be so converted will be excluded in reckoning service for pension.

9. Officers granted study leave are ordinarily required to meet the cost of fees paid for courses of study. In exceptional cases the High Commissioner or the Government of India, as the case may be, will be prepared to consider proposals that such fees should be paid by Government.

10. On completion of a course of study a certificate on the proper form (which may be obtained from the High Commissioner) together with certificates of examinations passed or of special study, shall, when the study leave has been taken in Europe or America, be forwarded to the High Commissioner. When the study leave has been taken in any other country certificates of examinations passed or of special study, which should show the dates of commencement and termination of the course, with any remarks by the instructor, shall be forwarded to the authority which sanctioned the leave. In the case of a definite course of study at a recognised institution the study allowance will be payable by the High Commissioner or in India, as the case may be, on claims submitted by the officer from time to time, supported by proper certificates of attendance. When the programme of study approved under Rule 5 does not include or does not consist entirely of such a course of study, the officer shall submit to the High Commissioner or to the authority in India which sanctioned his leave, as the case may be, a diary showing how his time has been spent, and a report indicating fully the nature of the methods and operations which have been studied, and including suggestions as to the possibility of applying such methods or operations to India. The High Commissioner or the sanctioning authority in India, as the case may be, will decide whether the diary and report show that the time of the officer has been properly employed, and will determine accordingly for what period the study allowance referred to in Rule 7 may be granted.

11. Study leave will count as service for promotion and pension, but not for furlough or any other leave. It will not affect any leave

which may already be due to an officer; it will count as extra furlough, and will not be taken into account in reckoning the aggregate amount of furlough taken by the officer towards the maximum period admissible under the Fundamental Rules.

12. During study leave an officer will draw half average pay as defined in Rule 9 (2) of the Fundamental Rules, subject to the maxima and minima laid down in Rules 89 and 90, *ibid.* The rate of exchange prescribed by the Secretary of State in Council for the conversion of leave-salary (other than that admissible during the first four months of a period of leave on average pay) shall apply to study leave allowances. An officer may, subject to the approval of the proper authorities being obtained as required by Rules 5 or 6, undertake or commence a course of study during leave on average pay, and, subject to paragraphs 7 and 8, draw study allowance in respect thereof, provided that study allowance is not drawn for an aggregate period exceeding two years during the whole of an officer's service. This rule applies to military officers in civil employment taking leave under the Fundamental Rules. A military officer taking leave under military rules will draw the furlough pay admissible to him under those rules; if on combined leave he may be permitted to commence a course of study before the end of his privilege leave, and draw for such period the study allowance admissible under Rule 7, without forfeiture of privilege leave allowances, the full amount of study leave taken being, for all purposes of record and subsequent calculation of leave, post-dated as if it commenced at the end of the privilege leave.

13. On an application for study leave in Europe or America being sanctioned by the Government of Madras, Bombay or Bengal, the local Government should inform the High Commissioner of the particulars of the case. When such leave is sanctioned by any other local Government or Administration a report should be made to the Government of India, who will inform the High Commissioner. It will be necessary for the officer concerned to place himself in communication with the High Commissioner, who will arrange any details and issue any letters of introduction that may be required. In all cases in which study leave in any other country is sanctioned the particulars should be reported to the Government of India.

APPENDIX No. 20 (II).**[F. R. 84.]****Rules for the assistance of officers on leave in the United Kingdom who wish to prosecute their legal studies at one of the Inns of Court, London, or the King's Inns, Dublin.**

(1) These rules are applicable only to officers of the Indian Civil Service, or of the Political Department (irrespective of the source of recruitment), or of the Judicial Branch of the Provincial Civil Service.

(2) An officer to whom these rules are applicable, desiring to undertake a course of study at one of the Inns of Court, London, or the King's Inns, Dublin, while on leave in the United Kingdom, may apply in writing to the Local Government or Administration under which he serves for a certificate of eligibility under these rules.

(3) Such certificate shall not be granted unless the applicant has or will have at any time subsequent to the date of his intended admission to one of the Inns of Court, London, or the King's Inns, Dublin, sufficient leave due under the ordinary rules, to enable him to present himself at the final examination prescribed for a call to the Bar, before he has completed the first fifteen years of his service under Government.

(4) If, in the opinion of the Local Government a case deserves special consideration but a certificate cannot be granted under Rule 3, the Local Government may forward the application together with its recommendation to the Government of India who will decide whether or not it should be supported to the Secretary of State.

(5) An officer, to whom a certificate of eligibility has been granted under Rule 3, on reporting himself for orders at the office of the High Commissioner for India, and after executing a bond in the form annexed, will be entitled to the following concessions, subject to the conditions set forth in the said bond :—

(a) An advance of all fees payable in connection with his admission to one of the Inns of Court, London, or the King's Inns, Dublin.

(b) In the case of the Inns of Court, London, a bonus of £25 for each first class obtained in any of the four examinations comprising Part I, and of £50 for a first class in the Final Examination or Part II of the examinations prescribed by the Council of Legal Education for a call to the Bar; and in the case of the King's Inns, Dublin, a bonus of £50 for a first class at each of the two Continuous Course Examinations, and of £50 for a first class at the Final Examination.

(c) A bonus of £75 in part refund of any fee actually paid to a practising Barrister in England for reading in his Chambers.

Provided that the period of reading shall not have been less than one year, inclusive of the long vacation, and that the bonus shall be payable only on production of a certificate from the said Barrister of due attention and application to study.

(8) All advances shall be recovered from the salary of the officer concerned immediately on his return to duty in India by 12 equal monthly instalments, or by instalments of one-third of his monthly salary. The necessary arrangements for the recovery of the moneys due on return of the officer to India will be made by the Chief Accounting Officer to the High Commissioner for India.

FORM OF BOND.

(8) If in the event of the above bounden not rejoining the service in India before the expiration of his leave of absence he shall on the day his leave expires pay to the High Commissioner for India the said amount of £ and any bonuses granted for success in Part I (or the Continuous Course Examinations in the case of the Irish Bar) and in the Final Examination aforesaid; or

- (c) If in the event of the above bounden
- rejoining the said service in India he shall pay the said amount of £ to the Government of India by deductions from his salary by such instalments and at such times as the Government may decide or otherwise; or
- (d) If in the event of the above bounden
- not remaining in the Service until he has repaid the said sum of £ he shall forthwith upon his ceasing to be in the Service pay to the High Commissioner for India the said amount of £ and any bonuses granted for success in Part I (or the Continuous Course Examinations in the case of the Irish Bar) and in the Final Examination aforesaid or such part thereof as shall then remain unpaid, or
- (e) If the above bounden dies before repayment of the said sum of £ or any part thereof; provided that all repayments already due from the said bounden under the foregoing conditions before his death, have been duly made;

Then the above-written obligation shall be void and of no effect, otherwise it shall be and remain in full force and virtue.

Signed, sealed, and delivered by the above bounden

In the presence of—

APPENDIX No. 21.

[F. R. 65.]

Leave Rules for Chaplains on the Indian Ecclesiastical Establishments.

Rules made by the Secretary of State for India in Council on 7th June 1923 governing the leave and leave-salary of Chaplains of the Church of England and Church of Scotland on the Bengal, Madras and Bombay Ecclesiastical Establishments, including the Bishops of Lahore, Rangoon, Lucknow and Nagpur.

RULES.

1. The Special Leave Rules in sections I to V of Part IV of the Fundamental Rules made by the Secretary of State for India in Council under section 96-B of the Government of India Act, are, subject to the exceptions and modifications contained in these rules, hereby made applicable to Chaplains of the Church of England and Church of Scotland on the Bengal, Madras and Bombay Ecclesiastical Establishments, including the Bishops of Lahore, Rangoon, Lucknow and Nagpur.

2. A Chaplain on probation is entitled to the same leave and leave-salary as if he held a substantive appointment as Junior Chaplain.

3. In the case of a Chaplain who was appointed before the 29th July 1906 leave shall be credited to his account in accordance with these rules, 1½ months being added in respect of the additional 3 months' leave admissible under Article 581, Civil Service Regulations, but privilege leave may continue to be granted under Article 592 (b) of the Chaplains' Leave Rules in the Civil Service Regulations, subject to the condition of article 595, Civil Service Regulations, every month so taken being debited to his leave account as 14 days' leave on average pay.

NOTE TO RULE 3.—Privilege leave under Article 592 (b), Civil Service Regulations, cannot be taken in combination with any other leave.

4. Leave salary in the case of Chaplains appointed before the 7th June 1923 is subject to the following yearly minima :—

			Leave on half aver- age pay.	Leave on quarter aver- age pay.
			£	£
Senior Chaplains holding the offices of Archdeacon of Calcutta, Madras or Bombay; Presidency Senior Chap- lains at the same places	...	...	600	480
Other Senior Chaplains	...	...	500	384
Junior Chaplains	...	...	...	300

When leave is taken in Asia leave-salary is converted into rupees at the current rate of exchange subject to a minimum of Rs. 10 to the pound sterling.

NOTE TO RULE 4.—No special minimum is necessary for Junior Chaplains on half average pay, since Fundamental Rule 90 prescribes a minimum of 396l. which, is higher than the rate of allowances laid down for Junior Chaplains on ordinary furlough under the Civil Service Regulations.

5. A Junior Chaplain appointed a Senior Chaplain while on leave is, from the date of such appointment, entitled to the leave pay admissible to a Senior Chaplain.

NOTE.—A Junior Chaplain becomes a Senior Chaplain after 10 years' service, excluding the period of probation.

6. To a Chaplain appointed before the 7th June 1923 who is proceeding on leave to England, an advance of three month's leave-salary may be made, provided that no part of the leave is on average pay. An advance made under this rule is not recoverable in the event of the Chaplain's death.

6-A. A Chaplain who entered the service on or before the 22nd September 1915, if required to retire at the age of 55 years, may be permitted before being compelled to retire, to enjoy any leave, up to a maximum limit of two years expressed in terms of leave on half average salary, that may be due to him at the time when he reaches the age of 55 years.

7. (a) A Chaplain in receipt of leave-salary who desires to accept a benefice in the United Kingdom or to take up other employment must obtain the previous permission of the Secretary of State in Council or of the Government of India according as his leave is taken out of or in India.

(b) Should he after duly obtaining such permission, accept a benefice, his Indian appointment will be deemed vacant on the expiry of any leave which may have been granted to him, unless before the expiry of his leave he shall have resigned the benefice after having first obtained the consent of the Secretary of State and of the Bishop of the diocese or the presbytery in which the benefice is situated to his doing so. No extensions of leave will, in any circumstances, be granted to a Chaplain drawing leave-salary who has accepted a benefice in the United Kingdom, unless he has resigned the same before the expiry of such leave with the consent before mentioned.

8. These rules, so far as they relate to leave-salary, shall apply retrospectively to all leave taken by the Bishops of Lahore, Rangoon, Lucknow and Nagpur or by Chaplains after 30th November 1919, provided that as regards leave taken between 1st December 1919 and 1st January 1922, the leave-salary shall be that admissible under the European Services Leave Rules subject to the minima set out in the Chaplains Leave Rules in the Civil Service Regulations.

A Chaplain on leave which was granted before 7th June 1923 shall receive leave-salary at the rate admissible at the time his leave was granted if such rate is higher than that admissible under the Fundamental Rules. (G. I., E. & H. No. 237, dated 3rd August 1923 and No. 350, dated 2nd November 1923.)

Secretary of State's Ruling.—It is not the intention that Rule 8 should withdraw the concession that leave-salary during ordinary furlough taken up to 1st January 1922 should be based on twelve months' average. (G. I., E. & H. No. 1, dated 5th January 1924.)

APPENDIX No. 22.

Memorandum explanatory of each rule of the Subsidiary Rules framed under the Fundamental Rules.

S. R. 1 is based on Local Government's letter No. 3438-F., dated the 28th March, 1923, imposing restrictions of Articles 147(iii) and 321 (a), Civil Service Regulations in the grant of leave to inferior servants.

S. R. 2.—*Clause (i)* is based on Articles 295(i) and (ii) and Note 2 to Civil Service Regulations and lays down the extent of application of the departmental leave.

Clause (ii) (a) is a statement of fact and can be inferred from the proviso under Article 295(ii), Civil Service Regulations.

Clause (ii) (b) is a reproduction of Article 295 (i) and (ii) Civil Service Regulations.

Clause (i) c) is a reproduction of note 1 to Article 295, Civil Service Regulations.

Clause (iii) reproduces the provisions of Articles 295 (i) and (ii) Civil Service Regulations and Article 39, Civil Account Code.

Clause (iv) is new and follows from the principles adopted in the Fundamental Rules.

Clause (v) gives a new concession that the departmental leave can be taken in addition to the maximum leave admissible under Fundamental Rule 81(a).

Clause (vi) is a reproduction of Article 232, Civil Service Regulations.

Clause (vii) has become necessary on account of *Clause (iv)* which directs that departmental leave will be debited to the leave account as though it were leave on half average pay.

S. R. 3 specifies the classes of allowances at present treated as compensatory allowances under the Fundamental Rules.

S. R. 4.—*Clause (1)* is based on Articles 68 and 411, Civil Service Regulations.

Clause (2) is a reproduction of Article 52(c), Civil Service Regulations.

Clause (3) reproduces the provisions in Articles 279 and 280 of the Civil Service Regulations.

Clause (4) is based on clauses (a) and (b) of Article 284, Civil Service Regulations.

Clause (5) reproduces the provisions contained in Articles 285 and 410, Civil Service Regulations.

Clause (6) is based on Article 9(1), Civil Service Regulations, and the Government of India, Finance Department, Resolution No. 127-C. S. R., dated the 10th February, 1922.

Clauses (7) and (8) reproduce the provisions in paragraphs 110 and 382 of the Public Works Department Code respectively.

Clause (9) is a reproduction of Article 38 of the Forest Department Code.

S. R. 5 is based on the Local Government, Agriculture and Industries Department, letter No. 5104, dated the 14th December, 1923.

S. R. 6 delegates the power to appointing authorities to appoint a Government servant to officiate in a vacant post.

S. R. 7 is based on Article 51, Civil Service Regulations.

S. R. 8 reproduces the provisions in Article 49, Civil Service Regulations.

S. R. 9 is based on Articles 49 and 50, Civil Service Regulations.

S. R. 10 is based on paragraph 2 of Article 50, Civil Service Regulations and paragraph 56, Bengal Companion to Civil Service Regulations.

S. R. 11 reproduces the rule in Article 53, Civil Service Regulations.

S. R. 12 is based on Note 3 to Article 53, Civil Service Regulations.

S. R. 13 reproduces the provisions of Article 55, Civil Service Regulations. The note has been made of general application so as to cover the provisions of Article 54, Civil Service Regulations.

S. R. 14 is based on Article 56, Civil Service Regulations.

S. R. 15 reproduces the rule in Article 57, Civil Service Regulations. The *Note* is based on Rule 1 of that article.

S. R. 16 reproduces the provision in Article 58, Civil Service Regulations.

S. R. 17.—Article 59, Civil Service Regulations, has been reworded here so as to cover the existing practice followed in Bengal.

S. R. 18 and 19 are based on the provisions of Article 68 A, Civil Service Regulations.

S. R. 20 is a new rule made by the Local Government to secure uniformity of practice throughout the Province for calculation of pay of a Government servant on the removal of an efficiency bar previously enforced against him.

S. R. 21 is based on Article 153, Civil Service Regulations.

S. R. 22 reproduces the last sentence of clause (a) of Article 193, Civil Service Regulations.

S. R. 23.—*Clause* (a) is based on Article 13, Civil Service Regulations.

Clauses (b) and (c) are based on Article 19, Civil Service Regulations.

Clause (d) is a new definition.

Clause (e) is based on Article 23, Civil Service Regulations.

Clause (f) is based on first part of Article 25, Civil Service Regulations, and Article 1094A (iv) (4), Civil Service Regulations.

The last sentence is taken from paragraph 22 of the Bengal Companion to Civil Service Regulations.

Clause (g) is based on Article 1115, Civil Service Regulations.

The *note* is taken from paragraph 1453 of the Bengal Companion to Civil Service Regulations.

Clause (h) is a new definition.

Clause (i) is based on Article 44, Civil Service Regulations.

Clause (j) is a new definition.

S. R. 24 is taken from Article 1002, Civil Service Regulations, with the limits of pay for the different grades raised in consideration of the increases of pay sanctioned for the various services by the re-organisation. "Grade" has been substituted for "class" in order to avoid the existing confusion between a class of railway or steamer accommodation and a class of officer. The rule omits all special cases in the body of the Civil Service Regulations article and is based on actual pay and not on maximum pay.

S. R. 25 is inserted to cover all the special classifications now made in Article 1002, Civil Service Regulations and in Appendix.

S. R. 26 is based on Article 1007, Civil Service Regulations, with suitable changes in wording.

S. R. 27 contains the substance of Article 1005, Civil Service Regulations, with competent authority substituted for Local Government and the proviso omitted.

S. R. 28 states a general rule which is not now explicitly set forth in the Civil Service Regulations. The second part of the rule is taken from the note under the heading of Chapter III, Civil Service Regulations.

S. R. 29.—The main part of the rule is taken from the first part of Article 1044, Civil Service Regulations. The note refers to an appendix reproducing list of permanent travelling allowances drawn by different Government servants as shown in Appendix No. 22, Civil Service Regulations.

S. R. 30 contains first part of Article 1047, Civil Service Regulations; second part of the Civil Service Regulation rule has been omitted as it follows from *S. R. 29*.

S. R. 31 contains that part of Article 1009, Civil Service Regulations, which applies to permanent travelling allowance.

S. R. 32 contains the substance of Article 1074, Civil Service Regulations, with the addition of a definite provision for the power of sanctioning conveyance allowances.

Note 1 is taken from latter part of paragraph 1360, paragraphs 1360 C and 1360D, Bengal Companion to Civil Service Regulations.

Note 2 gives a list of Government servants drawing monthly conveyance or horse allowance as given in Appendix No. 26, Civil Service Regulations, and special orders embodied in the Bengal Companion to Civil Service Regulations.

Note 3 is based on second part of Article 1075, Civil Service Regulations, while *Note 4* is based on Article 1081, Civil Service Regulations.

S. R. 33 contains the substance of Article 1076 (a), Civil Service Regulations. The proviso restricts the drawing of too much mileage or daily allowance for short journeys around the headquarters by Government servants possessing motor car or motor cycle for which conveyance allowance is granted.

Exceptions are based on the Bengal Government orders issued in No. 14672-F., dated the 1st December, 1922, and No. 261-Com., dated the 9th January, 1923.

S. R. 34 contains the substance of Article 1076 (b), Civil Service Regulations.

S. R. 35 is a new definition which is not actually laid down in the Civil Service Regulations.

S. R. 36 reproduces Article 996, Civil Service Regulations.

S. R. 37 reproduces Article 997, Civil Service Regulations.

S. R. 38 is based on Article 998, Civil Service Regulations, and note thereunder.

Notes 1 to 4 are based on paragraphs 1092A, 1094 to 1097 of the Bengal Companion to Civil Service Regulations.

S. R. 39 is introductory of the sections for mileage allowance that follow after it.

S. R. 40 represents the main portion of Article 1011, Civil Service Regulations, rearranged in places, with notes 1 and 4 thereunder.

Note is based on the 2nd clause of paragraph 1190, Bengal Companion to Civil Service Regulations.

S. R. 41 is a general rule which covers all the exceptions and concessions under Article 1011, Civil Service Regulations.

S. R. 42 is based on Government of Bengal letter No. 11733-F., dated the 13th December, 1923, fixing the amount of mileage allowance admissible to Government servants of different grades.

S. R. 43 contains the substance of Note 2 to Article 1011, Civil Service Regulations.

S. R. 44 reproduces Note 3 to Article 1011, Civil Service Regulations.

S. R. 45 is based on Article 1016, Civil Service Regulations, rearranged and modified by Bengal Government No. 14283-F., dated the 21st November 1922.

Note 1 is based on paragraph 1194, Bengal Companion to Civil Service Regulations.

S. R. 46 is taken from Article 1017, Civil Service Regulations, and note thereunder.

S. R. 47 reproduces Article 1020, Civil Service Regulations.

Note is based on note to paragraph 1199A, Bengal Companion to Civil Service Regulations.

S. R. 48 is Article 1031, Civil Service Regulations, reworded.

Note is based on paragraph 1212, Bengal Companion to Civil Service Regulations.

S. R. 49 is an expanded version of Article 1028, Civil Service Regulations.

S. R. 50 is reproduced from Article 1033, Civil Service Regulations.

S. R. 51.—*Clause (a)* is based on Article 1034, Civil Service Regulations.

Clause (b) reproduces the substance of paragraph 1215A, Bengal Companion to Civil Service Regulations.

Note 1 is based on paragraphs 1217 and 1218, Bengal Companion to Civil Service Regulations.

Note 2 is based on Addendum and Corrigendum No. 5, dated the 24th September, 1923, and No. 6, dated the 5th March, 1924.

Note 3 is based on second part of paragraph 1218, Bengal Companion to Civil Service Regulations.

S. R. 52 is intended to cover the exceptions such as those in Article 1036, Civil Service Regulations.

Note reproduces the special rates as given in Article 1036, Civil Service Regulations.

S. R. 53 reproduces Article 1035, Civil Service Regulations.

S. R. 54 is taken from the first part of Article 1052 (*a*), Civil Service Regulations.

Note 1 is based on paragraph 1272 (1), Bengal Companion to Civil Service Regulations.

Notes 2 and 3 are based on paragraphs 1272 (3) and (2), Bengal Companion to Civil Service Regulations.

S. R. 55 is based on Article 1052 (*a*) and (*b*), Civil Service Regulations.

S. R. 56 is based on Article 1063, Civil Service Regulations, as modified by Government of Bengal No. 11733 F., dated the 13th December, 1923.

S. R. 57 covers the exceptions under Articles 1063 and 1064, Civil Service Regulations. List of special rates of daily allowance for different Government servants given in Appendix No. 25, Civil Service Regulations and revised by the Local Government is given in Appendix No. 6 referred to in the Note.

S. R. 58 is a new rule which makes plain a fact not specifically stated in the Civil Service Regulations.

S. R. 59 is a new rule.

S. R. 60 embodies the principles underlying Article 1021, Civil Service Regulations, as well as part of Article 995, Civil Service Regulations.

S. R. 61 contains the substance of Articles 1139 and 1140, Civil Service Regulations.

Note refers to a list of special rates of daily and mileage allowances admissible in special localities given in paragraphs 1503 to 1517 and Appendix No. 9, Bengal Companion to Civil Service Regulations revised by Government.

S. R. 62 contains the substance of Article 1037 (*a*), Civil Service Regulations.

Note 1 is based on paragraph 1222, Bengal Companion to Civil Service Regulations.

Note 2 is based on paragraph 1221, Bengal Companion to Civil Service Regulations.

Note 3 is based on Article 1037 (b), Civil Service Regulations.

S. R. 63 is based on the latter part of Article 1017, Civil Service Regulations.

S. R. 64 contains the substance of Article 1060, Civil Service Regulations.

Note refers to a list of places declared to be the headquarters of different Government servants collected from Appendix No. 7 to the Bengal Companion to Civil Service Regulations.

S. R. 65 is based on the first part of Article 1041, Civil Service Regulations.

Note gives a list showing the limits of spheres of duty of different Government servants collected from the Bengal Companion to Civil Service Regulations.

S. R. 66 contains a portion of Article 1038, Civil Service Regulations.

Note reproduces exception 1 under Article 1055, Civil Service Regulations, with explanation based on paragraph 1284, Bengal Companion to Civil Service Regulations and Government order No. 2851-F., dated the 16th March 1923.

S. R. 67 is a new rule.

The *Note* embodies the cases of absences collected from the Bengal Companion to Civil Service Regulations which have been declared as absences on duty.

S. R. 68 is taken from the second part of Article 1041, Civil Service Regulations.

S. R. 69 reproduces Article 1039, Civil Service Regulations, somewhat reworded.

Note 1 is based on paragraph 1261, Bengal Companion to Civil Service Regulations.

Note 2 gives a list of Government servants not entitled to travelling allowance for journeys on tour taken from Appendix No. 20 Civil Service Regulations, and similar cases embodied in Bengal Companion to Civil Service Regulations.

Note 3 is based on the Bengal Police Regulations.

S. R. 70 reproduces part of Article 1038, Civil Service Regulations.

S. R. 71 reproduces Article 1042, Civil Service Regulations.

Note 2 is based on paragraph 1263, Bengal Companion to Civil Service Regulations.

Note 1 is based on a decision in the Secretariat.

S. R. 72 Main rule is based on Article 1044, Civil Service Regulations.

Proviso (1) is taken from exception (e) to Article 1044, Civil Service Regulations.

Note is based on exception (d) of Article 1044, Civil Service Regulations.

Proviso (2) is based on Article 1045, Civil Service Regulations.

S. R. 73 is based on Article 1046, Civil Service Regulations, as altered by the decision of the Government of India and modified by the Local Government in Finance Department No. 11733-F., dated the 13th December, 1923.

S. R. 74 is a new rule but it states a principle which underlies the rules in the Civil Service Regulations.

S. R. 75 is based on Article 1053, Civil Service Regulations, with omission of the last sentence of that article.

Note is based on paragraph 1308, Bengal Companion to Civil Service Regulations.

S. R. 76 contains the first part of Article 1055, Civil Service Regulations.

Note (1) is based on paragraph 1281 (2) of Bengal Companion to Civil Service Regulations.

Notes 2, 3 and 4 are based on paragraphs 1278, 1281 (1) and 1283, Bengal Companion to Civil Service Regulations.

S. R. 77 contains the substance of second part of Article 1052, Civil Service Regulations.

Note reproduces the substance of paragraphs 1273 and 1274, Bengal Companion to Civil Service Regulations.

S. R. 78 is based on Article 1056, Civil Service Regulations, with omission of the last two clauses.

Note 1 gives a list of Government servants or class of Governments servants exempted from the operation of 10 days' rule collected from Appendix No. 5 and body of the Bengal Companion to Civil Service Regulations.

Note 2 is based on paragraph 1287A, Bengal Companion to Civil Service Regulations.

S. R. 79 reproduces the substance of Article 1057, Civil Service Regulations.

S. R. 80 covers Article 1066, Civil Service Regulations. The restrictions of the power to cases of officers drawing not more than Rs. 200 has been omitted.

S. R. 81.—*Clause (a)* of this rule contains the substance of Article 1065 (i) and (ii) with the omission of reference to a non-gazetted ministerial or menial officer which is taken into *S. R. 82*.

The *proviso* and *note (1)* under the clause incorporate the Government of India order embodied in paragraph 1345, Bengal Companion to Civil Service Regulations.

Clause (b) contains the substance of Article 1065 (iii) (1), Civil Service Regulations, as modified by Government order No. 11733-F., dated the 13th December, 1923. Addition has been made in clause (b) (1) to include prominently the provision for mileage in respect of rail or steamer journeys as in clause (iii) (2) of the Civil Service Regulations Rule.

Notes 2 and 3 are based on paragraphs 1338 and 1340, Bengal Companion to Civil Service Regulations.

Exception under the rule is based on a new supplementary rule 76A issued by the Government of India.

S. R. 82 repeats second part of Article 1065 (ii) and rule 1 thereunder.

Notes 1, 2 and 3 are based on paragraphs 1341, 1342 and 1346, Bengal Companion to Civil Service Regulations.

S. R. 83 is a new rule as modified by Government order No. 11733-F., dated the 13th December, 1923.

Note is based on paragraph 1358, Bengal Companion to Civil Service Regulations.

S. R. 84 reproduces Article 1061 (a), Civil Service Regulations.

S. R. 85 repeats Article 1062, Civil Service Regulations, with the usual substitution of competent authority for Local Government.

S. R. 86.—*Clause (a)* with *notes (1) and (2)* reproduce the substance of Article 1000, Civil Service Regulations.

Notes 3, 4, 5, 6 and 7 are based on paragraphs 1128A, 1128B, 1132, 1127 and 1128, Bengal Companion to Civil Service Regulations.

Clause (b) reproduces the substance of Article 1001, Civil Service Regulations. List of limitations on the weight of camp equipments and number of conveyances of animals given in note is based on paragraphs 1137 and 1138, Bengal Companion to Civil Service Regulations.

S. R. 87 is based on Article 1067, Civil Service Regulations.

S. R. 88 is based on Article 1082, Civil Service Regulations, including paragraph 1373, Bengal Companion to Civil Service Regulations, as note (1).

Note 2 gives special cases of conveyance hire referred to in Appendix No. 27 to Civil Service Regulations.

S. R. 89 repeats the second part of Article 1055, Civil Service Regulations.

Note is based on paragraph 1285, Bengal Companion to Civil Service Regulations.

S. R. 90 reproduces Article 1054 (a) and 1059 (a) and (b), Civil Service Regulations.

Note is based on paragraph 1309, Bengal Companion to Civil Service Regulations.

Note under clause (b) is based on paragraph 1307, Bengal Companion to Civil Service Regulations.

S. R. 91 reproduces Articles 1142 and 1143, Civil Service Regulations.

S. R. 92 follows Article 1158, Civil Service Regulations.

Note refers to *S. R. 162* and *163* regulating the travelling allowance of the Member of the Board of Revenue and High Court Judges.

S. R. 93, 94, 96 and 97 are based on Articles 1147, Civil Service Regulations, read with paragraph 1518A, Bengal Companion to Civil Service Regulations.

S. R. 95 and 98 are based on a principle laid down by the Secretary of State, as communicated in the Government of India, Finance Department, No. 301 C. S. R., dated the 21st February, 1924, which has been adopted in Bengal.

S. R. 99 reproduces the rules laid down by Local Government in Finance Department resolution No. 1064-F., dated the 30th January, 1923.

S. R. 100 is based on Article 1148 (iii), Civil Service Regulations.

S. R. 101 is a new rule based on a Government of India supplementary rule.

S. R. 102 and 103 follow Article 1083, Civil Service Regulations.

Note (1) under *S. R. 103* is based on Article 712, Civil Service Regulations.

Note (2) gives a list of cases of travelling allowance permitted by general or special orders collected from the Bengal Companion to Civil Service Regulations, paragraphs 1378 to 1394.

S. R. 104 follows Article 1084, Civil Service Regulations.

S. R. 105 is based on Article 1085, Civil Service Regulations.

The *note* is based on the Auditor General's letter No. 211—Code-158-22, dated the 26th February, 1923.

S. R. 106 is reproduced from Rule 8, Appendix No. 30, Part I, Civil Service Regulations.

S. R. 107 follows *S. R. 106*.

S. R. 108 contains the substance of Articles 1092 and 1093, Civil Service Regulations.

S. R. 109 is a new rule based on a Government of India rule.

S. R. 110 applies to cases of first appointment generally a principle which is specifically laid down for one case in Article 1083, Civil Service Regulations.

S. R. 111 contains the substance of the first part of Article 1094 and of Article 1100, Civil Service Regulations.

Note embodies paragraph 1 of the Auditor General's Audit Instruction Circular No. 11, of 15th January, 1924.

S. R. 112 combines part of Article 1094 with Article 1101, Civil Service Regulations.

S. R. 113 contains a re-arrangement of the main provisions of Article 1094, Civil Service Regulations.

Note 2 under clause (a) I (iii) is based on paragraph 1399J, Bengal Companion to Civil Service Regulations.

Note 2 under clause (a) I (iv) (3) is based on paragraph 1399M, Bengal Companion to Civil Service Regulations.

Note at the end of the rule is based on exception 1 to Article 1094, Civil Service Regulations.

S. R. 114 is taken from Appendix No. 30, Part I, Rule 8, Civil Service Regulations.

The *note* is based on paragraph 1521, Bengal Companion to Civil Service Regulations.

S. R. 115 follows *S. R. 114*.

S. R. 116 is reproduced from Article 1095 read with Article 1067, Civil Service Regulations.

S. R. 117 and 118 contain the relevant portion of Articles 1098A and 710A, Civil Service Regulations.

S. R. 119 and Note are reproduced from Article 1094 (F), Civil Service Regulations, and note thereunder.

S. R. 120 is Article 1103, Civil Service Regulations, reworded.

S. R. 121 reproduces the relevant part of Article 1104, Civil Service Regulations.

S. R. 122 is reproduced from Article 1106, Civil Service Regulations, with an extension to all kinds of leave of the concession given by that article.

S. R. 123 is reproduced from Article 1107, Civil Service Regulations.

S. R. 124 is Article 1110, Civil Service Regulations.

S. R. 125 combines the provisions other than audit instructions which are contained in Articles 1114 and 1115, Civil Service Regulations.

S. R. 126 is Article 1112, Civil Service Regulations, omitting the reference to the establishment accompanying an officer to a hill station.

S. R. 127 contains the substance of Articles 1116, 1117 and 1118, Civil Service Regulations, as modified by Government of Bengal, Finance Department, No. 9670-85-F., dated the 5th November, 1923.

Note is based on paragraph 1460, Bengal Companion to Civil Service Regulations.

S. R. 128 is reproduced from Article 1119, Civil Service Regulations.

S. R. 129 covers the provisions of the note under Article 1116, Civil Service Regulations.

S. R. 130 is based on paragraph 1457 of the Bengal Companion to Civil Service Regulations, slightly modified.

S. R. 131 and 132 are based on Article 1121 to Civil Service Regulations and Note thereunder.

The *note* under *S. R. 131* with Appendix referred to therein is based on the Government of India, Finance Department, resolution No. 6124., dated the 14th September, 1922, as modified by their resolution No. 88A., dated the 29th January, 1923, and No. 343A., dated the 30th April, 1923.

S. R. 133 is reproduced from Appendix No. 30, Part I, Rule 8, Civil Service Regulations.

The *note* is based on the last sentence of paragraph 1521, Bengal Companion to Civil Service Regulations.

S. R. 134 reproduces the substance of Article 1122, Civil Service Regulations.

Note is based on paragraph 3 of the Auditor General's Audit Instruction Circular No. 4, dated the 28th May, 1923.

S. R. 135 and 136 are reproduced from Articles 1123 and 1124, Civil Service Regulations, respectively.

S. R. 137 is based on Article 1126, Civil Service Regulations.

S. R. 138 is reproduced from Article 1128, Civil Service Regulations, with modification made to include cases referred to in Note to that article.

Clause (c) is based on paragraph 1473, Bengal Companion to Civil Service Regulations.

S. R. 139 is based on Article 1127, Civil Service Regulations, with modifications to clause (a) by the Government of India in Finance Department No. 1640 C. S. R., dated the 25th September, 1923, and No. 757-E.B., dated the 20th May, 1921.

S. R. 140 is based on a Government of India rule corresponding to Rule 2 under Article 1127, Civil Service Regulations, with reduction in the distance of the new station to 50 miles.

S. R. 141 is a new rule of general nature based on a Government of India rule.

S. R. 142 and 143 are reproduced from Article 1121, Civil Service Regulations.

S. R. 144 is reproduced from Appendix No. 30, Part I, Rule 8, Civil Service Regulations.

S. R. 145 follows *S. R. 144*.

S. R. 146 is reproduced from Article 1128, Civil Service Regulations, with slight modifications to suit Provincial Surveys.

S. R. 147 and 148 are reproduced from Articles 1131A and 1132, Civil Service Regulations, respectively.

S. R. 149 is a new rule based on a Government of India rule.

S. R. 150 contains the substance of Article 1133, Civil Service Regulations.

S. R. 151 is based on Article 1134, Civil Service Regulations.

S. R. 152 contains the substance of Article 1136, Civil Service Regulations.

S. R. 153 is taken from the note under Article 1136, Civil Service Regulations.

Note is based on paragraph 1488, Bengal Companion to Civil Service Regulations.

S. R. 154 contains the substance of Article 1137, Civil Service Regulations.

S. R. 155 and 156 contain the substance of Articles 1137B and 1138, Civil Service Regulations, respectively.

S. R. 157 is taken from the note under Article 1136, Civil Service Regulations.

S. R. 158 embodies the substance of a ruling of the Government of India not incorporated in Civil Service Regulations.

S. R. 159 is reproduced from Article 1137A, Civil Service Regulations.

S. R. 160 contains the gist of Article 1138A, Civil Service Regulations.

The *note* refers to a list of cases collected from the Bengal Companion to Civil Service Regulations in which travelling allowance is allowed for journeys to undergo training.

S. R. 161 contains the substance of Article 1138B (2), Civil Service Regulations.

S. R. 162 to 166 are based on certain rules of Appendix No. 30, Civil Service Regulations.

S. R. 167 is a new rule based on a Government of India rule.

S. R. 168 is reproduced from Article 1013, Civil Service Regulations, with modifications to suit Bengal.

Note is based on the last sentence of paragraph 1192, Bengal Companion to Civil Service Regulations.

S. R. 169 is taken from second part of Article 1044, Civil Service regulations.

S. R. 170 is reproduced from Article 1014, Civil Service Regulations.

S. R. 171 is a new rule based on a Government of India rule.

S. R. 172 is reproduced from Article 1029, Civil Service Regulations.

S. R. 173 is reproduced from Article 1017A, Civil Service Regulations.

The *note* is based on the Government of India, Finance Department, No. 1317 C.S.R., dated the 7th August, 1923.

S. R. 174 is Article 999 (1) somewhat reworded.

The *note* is based on paragraph 1111, Bengal Companion to Civil Service Regulations.

S. R. 175 is reproduced from Article 999 (2), Civil Service Regulations.

Notes 1 to 3 embody the rules contained in Bengal Companion to Civil Service Regulations, regulating the charges to be levied for the use of Government steamers, steam launches, boats and Government elephants.

S. R. 176 covers the exceptions now set forth in clauses (b), (d) and (e) of Article 999A, Civil Service Regulations.

Note shows the cases of exemptions referred to in Article 999A, (d) to (e), Civil Service Regulations.

S. R. 177 covers clause (a) of Article 999A, Civil Service Regulations.

S. R. 178 reproduces the note under Article 999 (1), Civil Service Regulations.

S. R. 179 is a new rule based on a Government of India rule.

S. R. 180 is reproduced from Article 1138 (B) (1) (a) and (b), Civil Service Regulations, with the rate of daily allowance altered.

S. R. 181 is reproduced from Article 1003, Civil Service Regulations, with the rate of daily allowance altered.

S. R. 182 follows Article 1004, Civil Service Regulations.

Note 1 is based on Government of Bengal, Finance Department, letter No. 9583-F., dated the 12th November, 1923.

Note 2 is based on paragraph 1179A, Bengal Companion to Civil Service Regulations.

Note 3 is based on Government of India order embodied in paragraph 1535, Bengal Companion to Civil Service Regulations.

S. R. 183 is taken from the second part of Article 1159, Civil Service Regulations, with an amplification intended to cover an existing practice.

Note refers to a list of controlling officers, based on Appendix No. 10 and paragraph 1528, Bengal Companion to Civil Service Regulations.

S. R. 184 is taken from the first part of Article 1159, Civil Service Regulations, but the rule is extended to cover travelling allowance on all cases of journey and not on tour only. This is obviously desirable as bills for such journeys as journeys on transfer clearly require very careful scrutiny before encashment.

S. R. 185 reproduces Article 1160, Civil Service Regulations.

S. R. 186 contains the substance of Article 1162, Civil Service Regulations.

S. R. 187 follows Article 1161, Civil Service Regulations, slightly amplified.

S. R. 188 is a new rule which follows from the principle laid down in Fundamental Rule 45 (d).

S. R. 189 to 196 are based on Articles 72 and 74, Civil Service Regulations, re-arranged in a convenient way.

S. R. 197 is reproduced from Article 193 (c), Civil Service Regulations.

S. R. 198 is based on Article 193A, Civil Service Regulations.

S. R. 199 reproduces Article 194, Civil Service Regulations.

S. R. 200 to 202 are based on Article 841 (a) and (b), Civil Service Regulations.

S. R. 203 is reproduced from Article 197 (b) and (c), Civil Service Regulations, with notes thereunder.

S. R. 204 is based on the Government of Bengal, Finance Department, Nos. 1688-1707 T.F., dated the 10th October, 1923.

S. R. 205 is based on the Government of Bengal, Finance Department, Nos. 8969-F., and 8986-F., dated the 8th October, 1923.

S. R. 206 to 208 reproduce the substance of Article 220, Civil Service Regulations, conveniently arranged.

S. R. 209 is a new rule which is generally followed in practice in certain offices.

S. R. 210 is based on Article 223 (b) and 226, Civil Service Regulations.

S. R. 211 is based on Article 229, Note 2, Civil Service Regulations.

S. R. 212 reproduces Article 299 (c), Civil Service Regulations.

S. R. 213.—Clause (1) is based on the Bengal Government, Finance Department, No. 6267-F., dated the 30th March, 1922, and *clause (2)* is taken from the Auditor General's No. 1136-A-398-23, dated the 16th November, 1923.

S. R. 214 is a new rule based on a Government India rule.

S. R. 215 is based on Article 825, Civil Service Regulations, amplified.

S. R. 216 is reproduced from Article 849, Civil Service Regulations.

S. R. 217 is based on Article 861, Civil Service Regulations.

S. R. 218 is based on Article 781, Civil Service Regulations.

S. R. 219 is reproduced from Article 827A, Civil Service Regulations.

S. R. 220 is reproduced from Article 827B, Civil Service Regulations.

S. R. 221 is reproduced from Article 828, Civil Service Regulations.

S. R. 222 and 223 are based on Article 829, Civil Service Regulations.

S. R. 224 is based on Article 830, Civil Service Regulations.

S. R. 225 reproduces Article 831, Civil Service Regulations.

S. R. 226 reproduces Article 832, Civil Service Regulations.

S. R. 227 is based on Article 833, Civil Service Regulations.

Note is based on Bengal Government Resolution No. 2556 Medl., dated the 8th September, 1921.

S. R. 228 and 229 are based on Article 834, Civil Service Regulations.

S. R. 230 is a new rule based on a Government of India rule.

S. R. 231 is reproduced from Article 303, Civil Service Regulations.

The *note* is based on Article 704, Civil Service Regulations.

S. R. 232 is based on Article 827A, Civil Service Regulations.

S. R. 233 is based on Article 218, Civil Service Regulations.

S. R. 234 is based on Article 216, Civil Service Regulations.

S. R. 235 reproduces Article 217, Civil Service Regulations.

S. R. 236 is based on Article 219, Civil Service Regulations.

S. R. 237 is based on Articles 837 and 857(a) Civil Service Regulations.

S. R. 238 covers the provisions in Article 202 (a), note 2, Civil Service Regulations.

S. R. 239 is based on Article 836, Civil Service Regulations.

S. R. 240 is based on Article 883, Civil Service Regulations.

S. R. 241 reproduces Article 228, Civil Service Regulations.

S. R. 242 (a) is based on Article 226, Civil Service Regulations, clause (b) states the existing practice.

S. R. 243 is based on Article 840, Civil Service Regulations.

S. R. 244 is based on Article 815, Civil Service Regulations.

S. R. 245 is taken from Article 816, Civil Service Regulations.

S. R. 246 is based on Article 818, Civil Service Regulations.

S. R. 247 follows Article 816, Civil Service Regulations.

S. R. 248 is based on Article 821, Civil Service Regulations.

S. R. 249 reproduces Article 820, Civil Service Regulations.

S. R. 250 reproduces Article 819, Civil Service Regulations.

S. R. 251 and 252.—Two new rules inserted to deal with the procedure for the proper custody of service books.

S. R. 253 is reproduced from Article 822, Civil Service Regulations.

S. R. 254 and 255 are based on Article 823 and 824, Civil Service Regulations.

S. R. 256 is taken from Article 817, Civil Service Regulations.

S. R. 257 is a new rule for disposal of service books after death or retirement, etc.

S. R. 258 is based on Government of Bengal, Finance Department No. 7298/7312-F., dated the 6th August, 1923.

S. R. 259 and 260 are based on Articles 271 and 273, Civil Service Regulations, redrafted on the lines of the Government of India rules.

S. R. 261 and 262 dealing with cases of casual leave have been taken from Articles 308 and 309, Civil Service Regulations.

S. R. 263 to 265 are based on Articles 62 (b) and (c), 267 (1) and 268, Civil Service Regulations. They follow the Government of India rules slightly modified in clause 264 (2) with reference to Government of India, Finance Department, No. 87 C. S. R., dated the 15th January, 1923.

S. R. 266 is based on Government of Bengal, Finance Department, No. 1530 F., dated the 12th February, 1923.

S. R. 267 is based on Article 288A, Civil Service Regulations, slightly modified.

S. R. 268 is based on the general rule in Article 232, Civil Service Regulations.

S. R. 269 to 272 follow the Government of India rules which have been based generally on Articles 287, 288 and 291, Civil Service Regulations.

S. R. 273 is based on Article 289, Civil Service Regulations.

S. R. 274 is based on Article 290, Civil Service Regulations.

S. R. 275 and 276 are based on Articles 242 (a) and (b) and 320 (b), Civil Service Regulations.

Exception under *S. R. 275* is based on Government of India, Finance Department, No. 783 C. S. R., dated the 18th July, 1922.

S. R. 277 is based on Government of Bengal, Finance Department, No. 7298-7312-F., dated the 6th August, 1923.

S. R. 278 and 279 are based on Articles 243 and 369, Civil Service Regulations, sufficiently amplified.

S. R. 280 and 281 are based on Article 655, Civil Service Regulations.

S. R. 282 is taken from Article 653, Civil Service Regulations.

S. R. 283 is based on Article 656, Civil Service Regulations.

S. R. 284 reproduces Article 208, Civil Service Regulations.

S. R. 285 reproduces Article 666, Civil Service Regulations.

S. R. 286 has been taken from Article 202 (a), Note 2, Civil Service Regulations, and a similar rule framed by the Government of India in their resolution No. 205 C. S. R., dated the 8th February, 1924.

S. R. 287 to 289 are taken from Articles 202 and 203, Civil Service Regulations.

S. R. 290 is taken from Article 180, Civil Service Regulations.

S. R. 291 is based on Article 176, Civil Service Regulations.

S. R. 292 follows Article 175, Civil Service Regulations.

S. R. 293 to 295 are based on Articles 177, 181 and 184, Civil Service Regulations, respectively.

S. R. 296 follows Article 183, Civil Service Regulations.

S. R. 297 is based on Article 182, Civil Service Regulations, and a Government of India, Finance Department, ruling embodied in paragraphs 372 and 367, Bengal Companion to Civil Service Regulations.

S. R. 298 is based on Article 178 (a), Civil Service Regulations.

S. R. 299 is based on Article 178 (b), Civil Service Regulations.

S. R. 300 is a new rule necessitated by Fundamental Rule 105 (b) (u).

S. R. 301 reproduces a Government of India ruling embodied in paragraph 364, Bengal Companion to Civil Service Regulations.

S. R. 302 is a Government of Bengal declaration.

S. R. 303 to 305 are based on Government of Bengal, Finance Department, letter No. 8656-F., dated the 24th September, 1923.

S. R. 306 is taken from Article 188, Civil Service Regulations.

S. R. 307 and 308 are taken from Articles 773 and 774, Civil Service Regulations.

S. R. 309 and 310 are based on Article 772, Civil Service Regulations.

S. R. 311 is based on first clause of Article 776, Civil Service Regulations.

S. R. 312 is based on the latter part of Article 778, Civil Service Regulations.

S. R. 313 is based on the first clause of Article 755 (b), Civil Service Regulations.

S. R. 314 is taken from the last sentence of Article 758, Civil Service Regulations.

DELEGATION CHAPTER.**HEADS OF DEPARTMENTS.**

The Government of Bengal are pleased to declare the following officers serving under them to be "Heads of Departments" for the purpose of the Fundamental Rules and the Subsidiary Rules framed thereunder :—

1. Board of Revenue.
2. Director of Public Instruction.
3. Surgeon General.
4. Inspector General of Police.
5. Inspector General of Prisons.
6. Chief and Superintending Engineers, Public Works Department.
7. Commissioners of Divisions.
8. District and Sessions Judges.
9. Conservator of Forests.
10. Commissioner of Excise and Salt.
11. Director of Agriculture.
12. Director of Land Records and Surveys.
13. Presidency Senior Chaplain, Church of Scotland.
14. Advocate General.
15. Director of Public Health.
16. Inspector General of Registration.
17. Commissioner of Police, Calcutta.
18. Director of Industries.
19. Superintendent and Remembrancer of Legal Affairs.
20. Registrar of Co-operative Societies.
21. Superintendent, Royal Botanical Garden.
22. Chief Engineer, Public Health Department.
23. Secretaries to Government in respect of Officers who are not subordinate to any of the above Heads of Departments.

Statement showing the different powers which have been delegated to the various authorities under the Fundamental Rules and Subsidiary Rules.

Serial No.	Number of Rule.	Nature of power.	Authority to which the power is delegated.
1	F.R. 9(19)	Power to appoint a Government servant to officiate in a vacant post.	Any authority having power to make a substantive appointment to the post.
2	F.R. 10	Power to dispense with a medical certificate of fitness, before appointment to Government service in individual cases.	Local Government—in individual cases on pay exceeding Rs. 50. Officer having authority to make the appointment—in case of Government servants on pay not exceeding Rs. 50.
3	F.R. 13	Power to suspend lien ..	Authority having power to make a substantive appointment to the post.
4	F.R. 14	Power to transfer a lien ..	Authority having power to make substantive appointments to both the posts concerned.
5	F.R. 20	Power to reduce the pay and allowance of a Government servant treated as on duty.	Any authority competent to make a substantive appointment to the post held by the Government servant.
6	F.R. 24	Power to withhold increment	Any authority competent to make a substantive appointment to the post.
7	F.R. 35	Power to reduce the pay of an officiating Government servant.	Authority competent to make the officiating appointment to the post concerned.
8	F.R. 36	Power to issue general or special orders allowing acting promotions to be made in the place of Government servants treated as on duty.	Heads of Departments.
9	F.R. 40	Power to fix the pay of a temporary post which will probably be filled by a Government servant.	Authority competent to create a temporary appointment on the pay fixed.
10	F.R. 42(a)	Power to make a subsistence grant to a Government servant under suspension.	The suspending authority.
11	F.R. 49(b)	Power to appoint a Government servant to hold temporarily or to officiate in more than one post and to fix the pay of subsidiary posts and the amount of compensatory allowances to be drawn.	Heads of Departments provided they have power to make appointment in each of the posts.

Serial No.	Number of Rule.	Nature of power.	Authority to which the power is delegated.
12	F.R. 56(a)	Power to retain Government servants other than ministerial servants in service after the age of 55 years.	Authority having the power to fill the appointment substantively.
13	F.R. 71	Power to require a medical certificate of fitness before return from leave.	Authority which granted the leave.
14	F.R. 73	Power to extend leave.	Ditto.
15	S.R. 9	Power to accept a certificate signed by a female medical practitioner in the case of a female candidate.	Heads of Departments.
16	S.R. 25	Power to fix the grade of a Government servant.	Local Government.
17	S.R. 27	Power to declare the grade of a Government servant remunerated wholly or partly by fees.	Ditto.
18	S.R. 29	Power to grant permanent monthly allowance to a Government servant.	Ditto.
19	S.R. 31	Power to fix permanent monthly allowance of a Government servant, holding two or more appointments to each of which such an allowance is attached.	Ditto.
20	S.R. 32	Power to grant conveyance or horse allowance.	Ditto.
21	S.R. 36(b)	Power to declare the shortest of two or more routes.	Heads of Departments.
22	S.R. 37	Power to permit mileage allowance to be calculated by route other than shortest or cheapest.	Ditto.
23	S.R. 38	Power to decide the point in any station from which journey is held to commence or at which it is held to end.	Local Government.
24	S.R. 41	Power to declare a particular Government servant or class of Government servants to be entitled to higher class accommodation by rail.	Ditto.
25	S.R. 45 proviso.	Power to direct that any Government servant whose pay does not exceed Rs. 35 entitled to accommodation in the lowest railway class.	Heads of Offices.

Serial No.	Number of Bill.	Nature of power.	Authority to which the power is delegated.
26	S.R. 47	Power to decide in cases of hardship to what class of steamer accommodation a Government servant is entitled.	Heads of Departments.
27	S.R. 52	Power to allow a particular Government servant or a class of Government servants higher rate of mileage allowances.	Local Government.
28	S.R. 57	Power to fix special rates of daily allowances for any officer or class of officers.	Ditto.
29	S.R. 61	Power to increase the ordinary rates of daily allowance or mileage in any specified locality.	Ditto.
30	S.R. 64	Power to fix headquarters ..	Heads of Departments.
31	S.R. 65	Power to define the limits of the sphere of duty of a Government servant.	Ditto.
32	S. R. 67	Power to declare which is the journey on duty in cases of Government servants in respect of permanent travelling allowance.	Ditto.
33	S. R. 68	Power to restrict the frequency and duration of journeys on tour.	Controlling officers.
34	S. R. 69	Power to declare what officers are not entitled to travelling allowance for journeys within sphere of duty as their pay is so fixed as to compensate them for all such cost of journeys.	Local Government.
35	S. R. 71	Power to prescribe scale of Government tents for office or for personal use.	Ditto.
36	S. R. 72	(1) Power to grant to 4th grade Government servants single rail fare in addition to permanent travelling allowance.	Heads of Departments.
		(2) Power to permit a Government servant with a sphere of duty extending beyond a single district, difference of double permanent travelling allowance and mileage allowance.	Local Government.

Serial No.	Number of Rule.	Nature of power.	Authority to which the power is delegated.
37	S.R. 78	Power to exempt from the operation of the rule that daily allowance for more than 10 days' halt at one place should not be drawn.	Heads of Departments up to a limit of 30 days; after that Local Government.
38	S.R. 80	Power to allow a Government servant or a class of Government servants to draw mileage allowance instead of daily allowance for the whole period of absence from headquarters.	Heads of Departments in individual cases where the pay of the Government servant does not exceed Rs. 200.
39	S R 81(a)	Power to allow a superior Government servant to exchange daily allowance for mileage on particular days.	Heads of Departments.
40	S.R. 82	Power to allow a non-gazetted ministerial or a menial Government servant to exchange for mileage allowance when he travels by public or hired conveyance.	Heads of Offices.
41	S.R. 84	Power to allow a Government servant compelled by a sudden emergency to leave his camp and travel more than 20 miles to draw mileage allowance in addition to actual cost of maintaining his camp.	Heads of Departments
42	S.R. 85	Power to allow actual expenses for journeys of more than 100 miles to the first or from last camp including cost of transportation of camp equipment, etc., and fixing scale of servants, horses, etc.	Ditto.
43	S.R. 86(a)	Power to permit recovery of actual expenses for conveying camp equipment, etc.	Ditto.
44	S.R. 86(b)	Power to prescribe limitations as to the maximum weight of camp equipment, number of horses, etc.	Ditto.
45	S.R. 88	Power to permit the recovery of the actual cost of hiring a conveyance when no travelling allowance is admissible.	Local Government.
46	S.R. 90	Power to grant actual expenses for maintaining camp equipment during a halt at headquarters.	Heads of Departments,

Serial No.	Number of Rule.	Nature of power.	Authority to which the power is delegated.
47	S.R. 103	Power to allow travelling allowance for joining first appointment in Government service (permanent or temporary).	Heads of Departments and District Officers in respect of travelling allowance to non-gazetted subordinates. Local Government in all other cases.
48	S.R. 105	Power to allow a free passage by sea to a person appointed to a post which he cannot join except by sea.	Heads of Departments and District Officers, Chief Judge, Small Cause Court Calcutta, Chief Presidency Magistrate, Calcutta, Port Officers, Calcutta and Chittagong, Agent for Government Consignments, Superintendent, Chittagong Hill Tracts,—in respect of Government servants appointed by them. Local Government in all other cases.
49	S.R. 113(a)	Power to prescribe lower maxima in respect of carriage of personal effects.	Local Government.
50	S. R. 113(c)	Power to prescribe scale of tents transported at the expense of Government during transfer.	Ditto.
51	S. R. 125(a)	Power to sanction halts at hill stations in excess of 10 days.	Heads of Departments up to a limit of 30 days. Local Government in all other cases.
	(b)	Power to intimate that a Government servant staying at a hill station in excess of 10 days was required to stay on duty or permitted to stay during holidays.	Ditto.
52	S. R. 127 (proviso 2)	Power to disallow travelling allowance to candidates attending examinations	
		(i) for culpable neglect . .	(i) Head of the Department in cases of culpable neglect in duty in preparing for an obligatory examination.
		(ii) for failure to obtain a reward.	(ii) Local Government in cases in which a reasonable standard of proficiency is not displayed in an examination other than obligatory.
53	S. R. 129	Power to allow travelling allowance for journeys to attend non-obligatory departmental examination.	Local Government.

Serial No.	Number of Rule.	Nature of power.	Authority to which the power is delegated.
54	S. R. 132	Power to allow travelling allowance for a journey made during leave or while proceeding on or returning from leave.	Local Government.
55	S. R. 143	Power to allow travelling allowance for journeys after retirement or dismissal or termination of service.	Ditto.
56	S. R. 15½ (b)	Power to allow actual expenses for appearing before a Medical Board in case of voluntary application for invalid pension.	Heads of Departments.
57	S. R. 160	Power to decide the rates of travelling allowance to be granted to a student, who is not a Government servant, to undergo a course of training.	Ditto.
58	S. R. 175	Power to prescribe a fixed hire in case of a Government servant provided with means of locomotion, when he pays all the cost of propulsion.	Local Government.
59	S. R. 176	Power to exempt 4th grade Government servants from the operation of rules regarding supply of means of locomotion.	Ditto.
60	S. R. 180	Power to grant travelling allowance to military officers invited to attend a Durbar or a Levce.	Heads of Departments.
61	S. R. 182 (a)	Power to grant travelling allowance to a non Government servant for attending conferences, meeting of a commission, etc.	Local Government.
62	S. R. 182 (b)	Power to grant actual travelling expenses with hotel and carriage expenses.	Ditto.
63	S. R. 182 (c)	Power to delegate the powers to the Government servant presiding over the meeting of the commission or other body in the above 2 cases.	Government officer presiding over conferences, etc.
64	S. R. 183	Power to declare who should be controlling officer for purposes of travelling allowance.	Local Government.

Serial No.	Number of Rule.	Nature of power.	Authority to which the power is delegated.
65	S. R. 186	Power to delegate the duty of countersignature of travelling allowance bills to a subordinate.	Local Government.
66	S. R. 187 (e)	Power of making subsidiary rules for the guidance of controlling officers.	Ditto.
67	S. R. 189	Power to grant honorarium from general revenues to a Government servant or to sanction the acceptance by a Government servant of honorarium or fee from a source other than general revenues.	Heads of Departments—up to Rs. 500 in each case. Local Government in all other cases.
68	S. R. 192	Power to permit a Government servant to undertake a work without detriment to his official duties.	Subordinate authorities—in respect of non-gazetted Government servants in each case up to Rs. 100. Heads of Departments—up to Rs. 500 in each case. Local Government in all other cases.
69	S. R. 193	Power to direct that the fees, etc., paid from a source other than general revenues for work done during office hours should be paid wholly or in part to the Government servant.	Any authority having power to sanction the acceptance of the honorarium or fee.
70	S. R. 194	Power to sanction the acceptance of private tuition fees by a Government servant of an Educational Service.	<p><i>For each term—</i> Local Government—over Rs. 500. Director of Public Instruction—up to Rs. 500.</p> <p><i>For each school term—</i> Inspectors and Inspectresses of schools, and principals of colleges—up to Rs. 100.</p>
71	S. R. 202	Power to grant leave to gazetted Government servants.	<p>Local Government, except in the following cases :—</p> <p>(1) Director of Agriculture may sanction leave on full average pay up to 4 months to all gazetted Government servants of the Agricultural and Veterinary Departments.</p> <p>(2) Director of Land Records and Surveys may sanction leave on full average pay up to 4 months to Provincial and Subordinate Survey officers.</p>

Serial No	Number of Rule.	Nature of power.	Authority to which the power is delegated.
72			<p>(3) Commissioners of Divisions may sanction 6 weeks' leave on full average pay to Sub-Deputy Collectors employed on general duty provided legal arrangement can be made for their work.</p> <p>(4) Director of Public Instruction may sanction leave on full average pay up to 4 months to Provincial Educational officers.</p> <p>(5) Inspector-General of Police may sanction leave on full average pay to all gazetted Government servants subordinate to him for a period not exceeding 6 weeks provided necessary arrangements are made locally.</p> <p>(6) Chief Justice may grant leave to officers appointed by the High Court.</p> <p>(7) Bishop of Diocese may sanction leave up to 4 months to Chaplains.</p>
73	S. R. 202	Power to grant leave to officers on foreign service.	<p>Foreign employer—up to a maximum period of 4 months in each case.</p> <p>Authority competent to sanction the transfer—up to any period.</p>
74	S. R. 207	Power to declare that in case of transfers of charge for leave etc., holidays prefixed or affixed, the proviso that the transfer or assumption does not involve the handing of money or securities will not apply.	Heads of Departments.
75	S. R. 208	Power to authorize departure from this rule.	Ditto.
76	S. R. 215	Power to grant leave on application submitted.	Local Government or any other appointing authority.
77	S. R. 232	Power to grant leave to a Government servant in respect of whom a Medical Committee has reported that there is no prospect of his ever being fit to return to duty.	Local Government.

Serial No.	Number of Rule	Nature of power	Authority to which the power is delegated.
78	S. R. 265	Power to accept as sufficient the reasons alleged by an officiating Government servant for refusing to occupy the residence placed at his disposal by the permanent holder of the post	Local Government.
79	S. R. 267	Power to grant maternity leave to a female Government servant.	Local Government or any other appointing authority.
80	S. R. 269	Power to grant hospital leave	Appointing authorities or heads of offices as the case may be.
81	S. R. 273	Power to grant sick leave to seamen.	Commanders of vessels.
82	S. R. 275	Power to grant leave to temporary Engineers, P. W. Department.	Local Government.
83	S. R. 279	Power to make exceptions in the grant of leave to a non continuous service officer, if he is absent on ill health on the last date the establishment is discharged or the 1st date on which it is re employed.	Appointing authority.
84	S. R. 285	Power to grant leave or leave salary to a labourer employed on daily wages in a workshop temporarily absent owing to injuries received while on duty	Authority under whom directly employed.
85	S. R. 293	Power to permit the calculation of joining time by a route other than that which travellers ordinarily use.	Heads of Departments.
86	S. R. 298	Power to extend joining time admissible under the rules beyond the maximum of 30 days.	Local Government.
87	S. R. 299	Power to grant longer period of joining time within the maximum of 30 days.	Heads of Departments.

INDEX.

This index has been compiled solely for the purpose of assisting references. No expression used in it should be considered in any way as interpreting the rules. The terms "S.R.", "S.S.", "G.I." and "A.I." indicate "Subsidiary Rules under the Fundamental Rules", "Secretary of State", "Government of India" and "Audit Instruction" respectively. The Rules without any such indicating letters refer to the Fundamental Rules proper.

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